May • 15c

Equality

THE AMERICAN WAY ★ EQUAL RIGHTS AND EQUAL OPPORTUNITY FOR ALL

COUGHLINISM IN 1940

A Catholic at the Brooklyn trials

KATHLEEN McINERNY

More anti-Semitic riots this summer?

KEITH ALLISON

The Girl Who Wanted to Marry Hitler

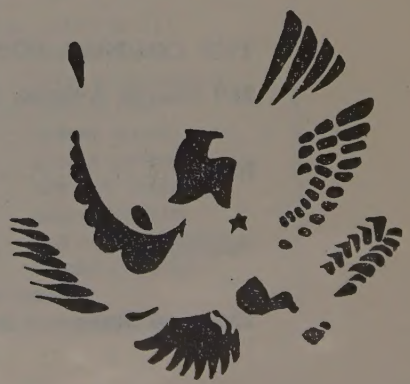
A true story of the Hon. Unity Valkyrie Freeman-Mitford

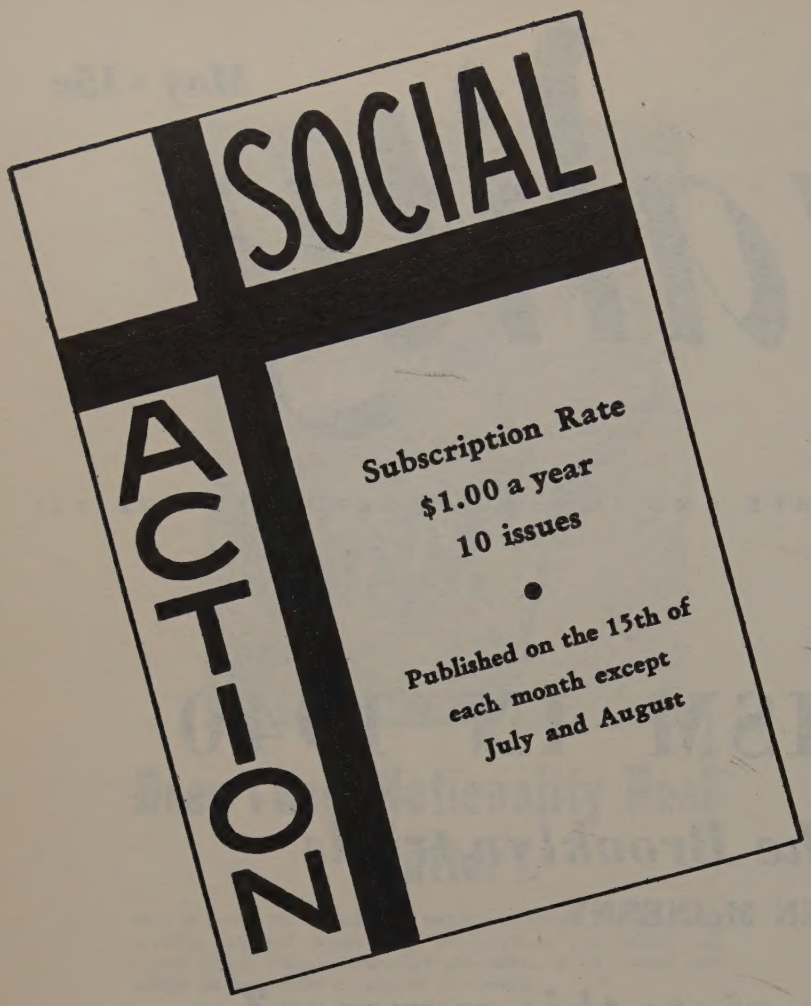
Keep Church and State Separate

Meet Mr. Smith's Committee:

Government by inquisition at work

by MERLE D. VINCENT





The first obligation which rests upon churches and individuals who would serve society is to get knowledge. Knowledge is the corner stone without which the superstructure of planned action would fall. As one important phase of its work, the Council has published for six years its magazine, *Social Action,* which authoritatively sets forth pertinent facts about current social issues—labor and capital, peace and war, city people and farmers, race relations.

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What we think and do affects the lives of our contemporaries all over the world. *We are not alone.* Our ideals, our ignorance or wisdom count in a total society whose pattern may be altered by the ideals, the ignorance or wisdom of all our fellow beings.

★

The Council for Social Action exists for the serving of New America. It affords an instrument to the one million members of the Congregational and Christian Churches with which to say and do the things they deem imperative in the life of a swiftly changing nation. The America of tomorrow will be inevitably and irrevocably new. Our concern is that we shall so direct these forces for change that the new shall also be better and more just.

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Anti-Semitism

Christian Conscience and the State

About This Issue

The Coughlinite hoodlums are uttering dire threats again, in the belief perhaps that April fiats make May riots. For barometrical readings of the overcast skies, see "A Catholic at the Brooklyn Trials," by KATHLEEN McINERNY, free-lance writer and red-headed daughter of Erin, and "More Anti-Semitic Riots This Summer?" by KEITH ALLISON, one-time secretary of the Kingsbridge Citizens Committee for Democratic Action and now on the staff of the New York Coordinating Committee for Democratic Action. Thoughtful reading of these articles should provoke some soul-searching and stock-taking. . . .

An event of great significance took place last month with little notice or comment—the signing of the McLaughlin Bill providing for sectarian instruction during school hours in New York State. The silence is a reflection on opponents of the bill who refused to take seriously the idea that Church-State separation could be challenged in our day or who believed that quiet representations would be more effective than loud publicity. Editorially we discuss the significance of the new law, while ALBERT DEUTSCH, social historian of the "Builders of Democracy" series, recalls the battle that Jefferson fought on this issue, for all time he hoped. . . . The renewed effort to apply religious and "moral" tests in the academic world, as in the Bertrand Russell case, is analyzed in "Academic Freedom: 1940" by ROBERT C. CHALLMAN and R. MARTIN KRAPP of the Academic Freedom Committee of the New York College Teachers Union Local 537.

The Smith Committee, currently advocating amendments which would nullify the Wagner Act, is less well known than the Dies Committee, but seems to have the same passion for poking into matters unrelated to its mandate. The distinguished jurist, MERLE D. VINCENT, Chairman of the Washington Chapter of the National Lawyers Guild and a section chief of the Wage-Hour Board, tells about it in "Meet Mr. Smith's Committee." He writes, of course, as an individual. . . . Hilarious yet revealing in its social implications is "The Girl Who Wanted to Marry Hitler," a true story of the Hon. Unity Valkyrie Freeman-Mitford by HOWARD DANIEL, Australian writer who has lived in England and on the continent and is now in New York. . . . An American minority of a million and a half, one might almost say a conquered minority, lives in the Southwest. BEN APPEL, novelist and author of the forthcoming *The People Talk,* tells of them in "Pecans, Cotton, Pecans, Turkey . . . " Not just to induce nostaglia, WALTER WILSON, chronicler of war and soldiers, recalls the not-so-bygone days of 1914-17 in "Paving the Road to War." . . . MICHAEL SAYERS, short story writer sometime on the staff of various English literary reviews, writes on Franklin L. Burdette's *Filibustering in the Senate,* a volume of interest in the light of the current fight over the anti-lynching bill. . . .

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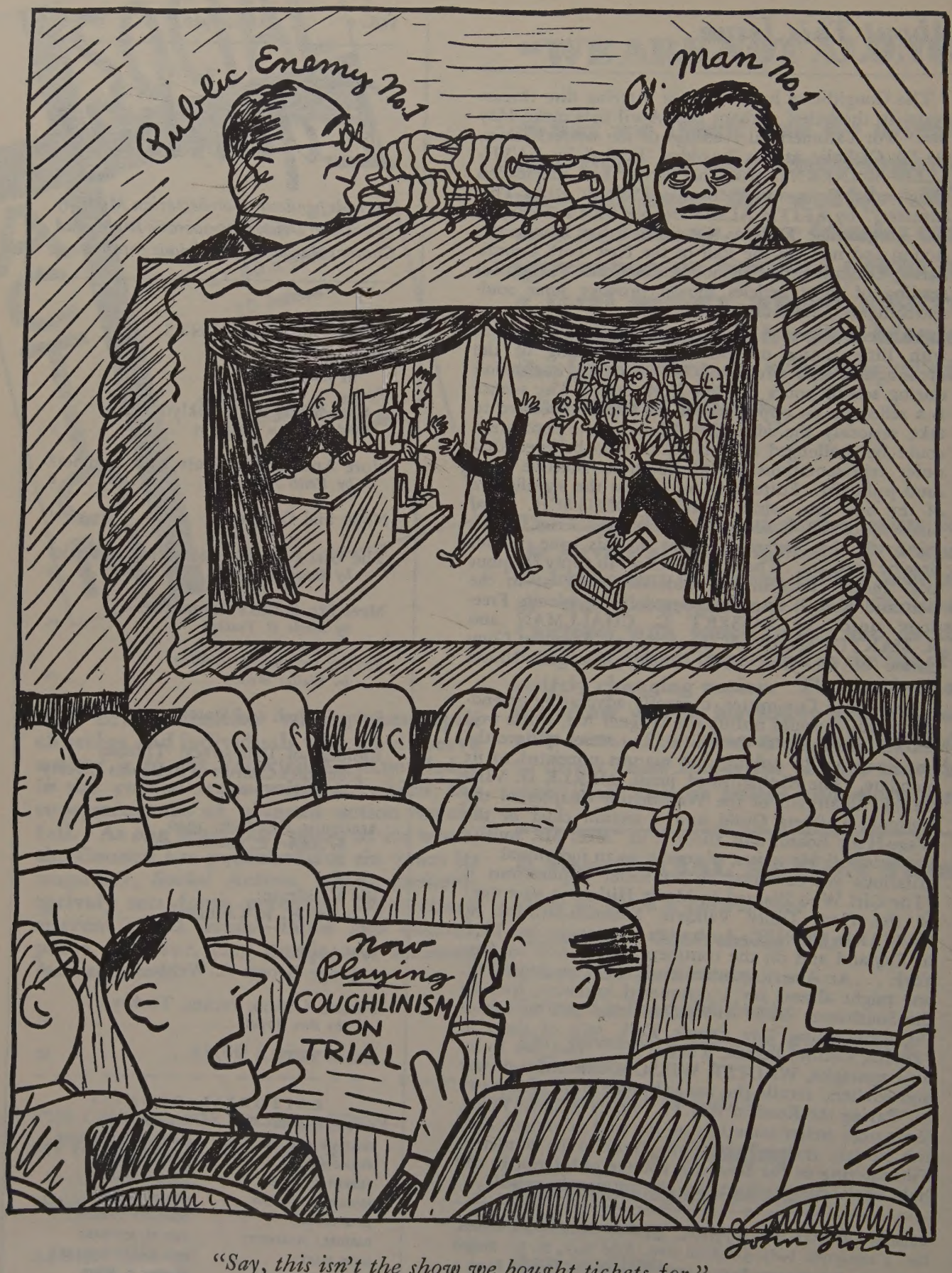

"Say, this isn't the show we bought tickets for."

A Catholic at the Brooklyn Trials

BY KATHLEEN McINERNY

AS A Catholic I have long been discouraged by the acquiescence of the Catholic Hierarchy in a position of neither condemning nor disavowing the temporal ravings of Father Coughlin. I am a firm believer in washing dirty linen in private and have been convinced that the laundry should be the Catholic Church. As Father Coughlin has grown more violent in his intolerant and incendiary broadcasts and writings, the need for a wholesale cleaning has become more evident. In New York City alone, even those Catholics who failed to protest incitement to violence under cover of a clerical collar, became aware of the street activities of Father Coughlin's followers. Arrests reported in the newspapers for Jew-stabbings only scratched the surface of a hate-network that was revealed in well-documented exposés. Still the Hierarchy failed to speak.

The arrests made by the Federal Bureau of Investigation in January 1940 of seventeen followers of Father Coughlin shamed me as a Catholic. I believe my Church should have acted before to stop this disgrace to my religion. But if the Church refused to act, then I believe the danger and threat to the democratic ideals of the United States were great enough to warrant government action.

When the F.B.I. acted they played to the Monday headlines (an old trick of publicity seekers). On a Sunday morning they arrested seventeen men on the charges of "conspiring to overthrow and destroy the Government of the United States, to oppose by force of arms the authority of the United States Government, and to seize and take possession of property of the United States." It is within the realm of possibility that these arrests of January 14 aided the request made by John Edgar Hoover that week for an increased F.B.I. appropriation.

Whitewash for Coughlin

At the time of the arrests it was made clear that Father Coughlin was not on trial. Opening the case, Prosecutor Harold M. Kennedy made it equally clear that the Christian Front was not on trial, that it was only the smaller Action Committee. As the testimony grows there does seem to be some confusion between the duplication of programs in the Action Committee and the Christian Front. It is obvious, though, that the prosecution is cutting off only a top diseased limb of a tree whose very roots are rotten.

As *Equality* goes to press, it is impossible to judge how the trial will develop. I share the contempt of Brooklyn and many other Irish Catholics for the Shaun Na Saggarth who to this writing has been the sole government witness. (Shaun Na Saggarth was the Irish informer who was paid $25 per head by the British for every priest he betrayed.) Denis Healy is a civil engineer formerly employed by the New York Central Railroad. Ruddy, round-cheeked, he has no memory and must rely on a little brown book for all his evidence.

No sauce for gander

It is a strange jury that watched him read. It was chosen after an appalling list of questions. Are you a member of the Communist, Socialist, or American Labor Party? Are you or any of your relatives affiliated with the American League for Peace and Democracy? The American Youth Congress? The American Student Union? The Abraham Lincoln Brigade? Friends of Loyalist Spain? Would you be influenced if some of the defendants were found to be members of the Christian Front? To be against Jews? What newspapers do you read? What radio commentators do you listen to? Do you read the *Daily Mirror? Life? Look? Pic? Daily Worker? Sunday Worker? New Masses? New Republic?* Have you ever heard of the Irish Republican Army? Would you have a repugnance for the Irish because of the I.R.A.'s activity? Have you ever complained to the police of magazine salesmen selling outside your home?

Conspicuous for their absence are the questions that in my opinion the prosecution should have demanded: Are you or any relative affiliated with the Christian Front? Do you read *Social Justice?* The *Tablet?* Have you ever heard Father Edward Lodge Curran? Father Brophy? Father Coughlin? Have you contributed to the Parents' Defense Fund? This last question seems to me to have been a vital omission, for Brooklyn, between the time of arrest and

trial, has been covered by a network of Parents' Defense Fund affairs that have been given widespread publicity in the *Tablet,* the official Brooklyn diocesan organ. Among the jurors are the following names that would indicate some possible connection with the Church: Egan, Cannon, Perrott, Hickey, Kirk, O'Donnell. All of the jurors are residents of Brooklyn.

This Parents' Defense Fund campaign must have been highly successful. Martin Conboy, prominent and expensive New York lawyer, is the ranking defense attorney. Mr. Conboy has been thrice decorated by the Pope, and these decorations are usually awarded to laymen close to the Hierarchy. It is certain that Mr. Conboy would not have undertaken this defense without the acquiescence of the Hierarchy. Ex-Magistrate Leo Healy, who is defending eleven of the alleged conspirators, is also an expensive Catholic lawyer. Only Anglican Judge Campbell relieves the monotony of Irish jurors, Irish defendants, Irish prosecutors, and Irish defense lawyers.

I was surprised to see the "lads" (as they are described in the press) who are held on these serious charges. Half of them are over thirty, but equally surprising to me was the fact that five of them are under twenty-five. Most of them sit high up in the box paralleling the jurors, listening closely, and smiling at odd times in the testimony. Witness Denis Healy reported that Bishop said a toothache was nothing to the pain the Action Committee might expect if the F.B.I. arrested them. To illustrate the stoicism they should emulate he burned a blister on the back of his hand with a cigarette. The defendants all turned and grinned at each other.

Bishop to wolves?

William G. Bishop, the eldest of the "lads" at 39, still has not been able to raise his bail. He is a German, never naturalized, whose entry into this country is of doubtful legality. So far I have seen no cordiality between him and the other defendants. Father Coughlin's *Social Justice* has pointed out that Bishop has been a bad influence on the other defendants. Witness Healy has steadily involved Bishop in his testimony, building him up as the leader of the Action Committee, even to the extent of placing John F. Cassidy, the national leader of the Christian Front, in the background. There was detailed testimony by Witness Healy that Bishop had removed Cassidy from the Action Committee because Bishop feared Cassidy's rival leadership and also because Cassidy was weak and afraid to follow orders. It was Bishop who said, according to Witness Healy, that General Van Horn Moseley was to be the temporary dictator once the government had been seized. It was Bishop, continued Healy, who supervised the theft of arms from the armory.

Cross-examination by Lawyer Healy, whose defense excludes Bishop, has skillfully involved the German further. When he asked Witness Healy if he had ever seen any of the defendants with over $2.50, Witness Healy was quick to reply he had seen Bishop with $200, money Bishop had said was given him to buy arms and ammunition. Another time when Lawyer Healy asked Witness Healy which of the defendants he had ever seen with a gun, the defense attorney interrupted the witness's "Bishop—," with *"Of course, Bishop.* Anyone else?"

Busy fuehrer

Fuehrer John Cassidy, aged 29, is the most active of the defendants. He sits close to the defense lawyers' table, but he is in quick and frequent touch with the other defendants. He talks to people in the corridor, gives instructions to a secretary in the audience, points out a newspaper columnist to the "lads." Part of Witness Healy's testimony has relegated Cassidy from the Action Committee. This is the defendant who, according to Healy, urged that all Jews be segregated in ghettos and that the "Jew government" of the United States should be overthrown. At the time Bishop excluded Cassidy from membership in the Action Committee, Cassidy was still allowed to attend meetings. Some of the money raised by the Action Committee to buy arms and ammunition was turned over to Cassidy who planned, according to the testimony, to form an athletic club with two hundred men to learn riflery and to duplicate the activities of the Action Committee. It was Cassidy personally who was quoted as recommending that twelve Congressmen in Washington be killed (as the time was not yet ripe for the Christian Front to take this stand officially).

Claus Ernecke, the defendant who committed suicide, first took Denis Healy to the Christian Front. Ernecke had been full of plans to use the Action Committee's machine-gun to eradicate the Jews,

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keep abreast of developments affecting civil and religious liberties in *your* community or state by sending us clippings, reports, releases, etc.? We need volunteer correspondents in many places. Let us hear from you.

especially refugees. It was also Ernecke who told Witness Healy that when the revolution came, five thousand Brooklyn Italians headed by a man named Torrio would join the Christian Front.

Assistant Prosecutor Quinn ably brought out the evidence from Witness Healy that Leroy Keegan (aged 26, fly-boy and bakery salesman) and John Franklin Timothy Cook (aged 19, no occupation) first came to an Action Committee meeting on November 8, 1939. I felt it was clear they had not been involved long. It was also brought out by the *prosecution* that Cook and Keegan were not trusted by John Albert Viebrock (aged 33, elevator mechanic) because the two were such new members. Viebrock was one of the defendants who was alleged to have learned how to make bombs under Bishop's tutelage. Captain John F. Prout of the 165th Infantry (aged 30, a telegraph operator) also was placed at the meetings spent in bomb construction.

Besides the members of the 165th Infantry that are directly involved, Witness Healy has quoted Bishop to the effect that both Lieutenant Colonel Martin H. Meany of the 165th Infantry and Brigadier General Alexander E. Anderson, commanding the 93rd Infantry Brigade of the New York National Guard, were members of the Action Committee. The Action Committee was assured at numerous times that during the revolution the National Guard would be on the side of the Christian Front. Both Colonel Meany and General Anderson have asked to testify to deny the charges. When they do, it will be the first public explanation regarding National Guard involvement, because Governor Lehman's investigation, announced after the arrests, has yet to produce a report.

What of the Coughlinite cops?

Another official agency in the picture is the Police Department. Witness Healy testified that at a meeting in Erasmus Hall they were prepared for a fight and were told that if they became entangled with uniformed police not to worry as they would probably be released around the corner. No action was taken by the Mayor's office or Commissioner Valentine even in regard to self-acknowledged Christian Front members on the police force.

Newspaper coverage of the trial has slipped from the front page because of the international scene. The opening was accorded headlines in some of the papers because of red-baiting against the F.B.I. It appeared that Lawyer Healy would build the defense on the lines of exposing two Communist provocateurs, Bishop and Denis Healy. When Denis Healy became known as an F.B.I. informer, Leo Healy's defense indicated it might try to implicate the entire present government as Communist! His cross-examination has not borne this out and the headlines have subsided to small print.

The court is full to capacity with friends and relatives of the defendants. None of them seems worried. It is quite a neighborly gathering with much brogue and gossip. They chat gaily with the defendants before and after recesses about last night's dates and the coming ones. You feel as though any minute a mother may lean over the railing to straighten her lad's tie.

The trial is estimated to continue at least another month. It is not being conducted in a way that will do much to eradicate the roots of intolerance and hatred that have nourished the defendants. Father Coughlin's name has yet to be mentioned in court. It has been stated that this is a trial of the Action Committee and not of the Christian Front. To the average Brooklynite, sixteen of the seventeen men (excluding Bishop) could not possibly have overthrown the government. Nowhere has the real issue been drawn clearly enough to reveal the evil of Father Coughlin—nor will it be. As a result, all too many Brooklynites, Catholics, and Irish echo in varying degrees the girl who shouted in front of the courthouse: "The same gang that crucified Christ are at it again, trying to convict these seventeen innocent Christian boys."

This girl was told to stop shouting by a policeman, but as soon as he walked away she resumed her chant. It is indicative of the temper of too many misguided persons in Brooklyn. While Father Coughlin cloaks these boys under his priestly arm, while the *Tablet,* the diocesan organ, rallies to their defense, few Catholics have raised their voices to shout the real shame. The task of proving Father Coughlin's guilt still lies with the public. It is a task that the Catholic public can no longer postpone.

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More Anti-Semitic Riots This Summer?

BY KEITH ALLISON

FRESH, all too fresh, in the memory of several million New Yorkers are the scenes of last summer: Sixty or seventy street meetings a week preaching racial and religious hatred; vile epithets and provocations flung at passers-by on the street; assaults and even stabbings by gangs of subway hoodlums against unoffending passengers of Semitic appearance; picket lines around large business houses, accompanied by the distribution of "Buy Christian" leaflets and scurrilous and obscene literature; an open assault on a Bronx police station; hysterical Jew-baiting rallies at Innisfail Park and other gathering places, with storm-troopers goose-stepping and saluting in an atmosphere that recalled to veteran correspondents only the rise of Hitler to power in Germany. And in the background, the Leader, the Rev. Charles E. Coughlin, his incitements flooding over the air waves from the Shrine of the Little Flower in Royal Oak and through the columns of *Social Justice* to add the dignity of his cloth to the gospel of hatred, as his followers obeyed his admonition to form a Christian Front and "organize yourselves in units of twenty-five."

It was indeed a sight to freeze the blood. Then came winter and relative quiet. Seventeen Coughlinite terrorists were arrested and recently placed on trial. The nightmare of the past summer receded, and throughout the community (and the nation) men and women of good will came under strong temptation to yield to wishful thinking and say what they had witnessed wasn't so, or that at most it was only a passing flare-up, now happily brought under control.

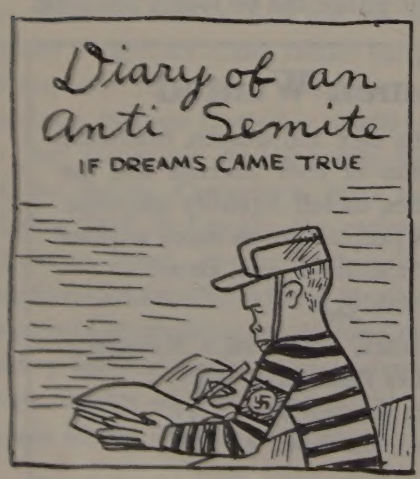
Has Coughlinism ceased to be a serious menace? Will the coming summer be blessed by the absence of street rioting and incitement? These questions are fairly posed at this time for the thoughtful citizen willing to evaluate the factors realistically and act accordingly.

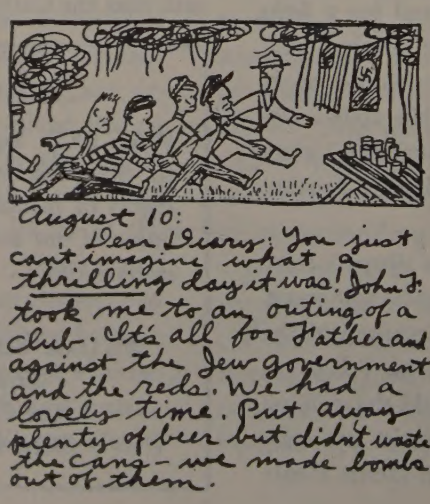
What will summer bring?

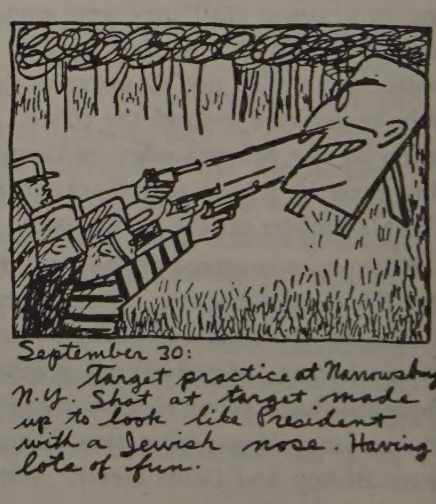
Cocksure prediction, of course, is not in order. Too many factors are uncertain—the outcome of the Brooklyn trials, the attitude of New York's city administration and police, the initiative and vigor shown by the numerous neighborhood tolerance groups that have been formed to counteract bigotry. But enough is known to appraise the situation in part—and to call attention to some of the danger signals.

After winter weather put a stop to street meetings, the Christian Front and allied terroristic groups went indoors—and in a sense underground. What became known as the fireside chat or the friends' and neighbors' club was evolved as the favored promotion technique. Hundreds of fireside chat groups were formed in the New York area, and some in other parts of the country, notably in New England. These groups, in the guise of informal social gatherings, met in the homes of members, shifting locale from meeting to meeting.

A typical fireside chat consists of six persons, five




August 10:
Dear Diary: You just can't imagine what a thrilling day it was! John F. took me to an outing of a club. It's all for Father and against the Jew government and the reds. We had a lovely time. Put away plenty of beer but didn't waste the cans - we made bombs out of them.


September 30:
Target practice at Nanuet, N.Y. Shot at target made up to look like President with a Jewish nose. Having lots of fun.

of them dyed-in-the-wool and more or less professional anti-Semites, the sixth a prospect, encountered at church or at work and lured to the party by the promise of "a good time" or "an interesting discussion." After beer and conviviality has produced the proper atmosphere, the prospect gets the works. The conversation is swung to graver topics: the Jews own the country and an American can't get a job; swarms of refugees are taking what few jobs are left; Jewish profiteers and international bankers are trying to push us into war; have you seen that article in this week's *Social Justice?;* Father Coughlin has the answer; the Christian religion is in danger; the time is fast approaching when Christian men will have to take to the streets in self-defense. The high pressure of the five professionals smashes through the resistance and hesitancy of the newcomer. A Christian Fronter is born.

Hundreds of gatherings, following with variations some such technique, had their effect this past winter in swelling the ranks. It is my opinion, and that of most investigators of the subject, that they more than make up, in numbers enlisted and degree of fanaticism, for the defections which followed the arrests of January 14. The arrests caused some shakeup in leadership, some burning of records and gestures at increased secrecy, but they touched only seventeen members in one of Coughlin's "units of twenty-five." Hundreds of similar groups, in New York and elsewhere, remain untouched. Furthermore, the clean bill of health given to Father Coughlin at the time of the arrests by F.B.I. Chief J. Edgar Hoover in the face of all the evidence to the contrary, and the subsequent action of the prosecution in omitting from the indictment any mention of the Christian Front, has convinced the boys that no attempt will be made to reach the fountainhead of the conspiracy. Finally, the constant participation of certain clergymen in the affairs of the Christian Front and the failure of the Hierarchy of the Catholic Church to repudiate Coughlinism, fortifies their boast that they enjoy strong ecclesiastical support.

"Parents" heil Hitler

Nor have public meetings waned. The Christian Front holds weekly meetings at Prospect Hall in Brooklyn and at Ebling's Casino in the Bronx. Periphery groups like the Christian Mobilizers, the German-American Bund, the Crusaders for America, and the Flying Squads on Americanism have each their own strongholds. On March 1, 1940, the Christian Front staged a "defense rally" at Prospect Hall, using the Parents' Defense Fund Committee as a front and packing in four thousand persons to contribute for the court fight of the Brooklyn defendants. Two priests, Rev. Edward Lodge Curran, President of the International Catholic Truth Society, and Rev. Edward M. Brophy, pastor of the Church of the Precious Blood in Long Island City, spoke on "The Christian Front, Its Justification and Needs." Father Curran, in an attack on freedom of the press, declared that the newspaper publicity on the case had "brought to light one malady in our American life that must be sanely and surgically removed forever," though newspaper comment, save for a day or two following the arrests, had been conspicuous for its inconspicuousness. All types of anti-Semitic literature were on sale. Handbills announced Bund and Mobilizer meetings. From time to time a zealous spectator would give vent to a "Heil Hitler!" At every opportunity the audience shouted anti-Semitic slogans. Ten of the seventeen defendants, under indictment for plotting sedition and mass murder, were seated on the platform as heroes and applauded hysterically as they were introduced to the audience.

On March 5, 1940, I attended a Christian Mobil-

John Groth
October 28:
Capt. X of National Guard showed us 1500 rounds of ammunition and two machine guns he stole for us.
Message from Father says time to act may come sooner than we think

December 3:
What a jolly secret meeting we had! Going to seize Post-offices and customs houses and destroy West Point and Annapolis. Father will stand by his boys if there's trouble.

January 20:
John F. says some folks think Front don't mean business. Sent flying squad to Washington and shot 12 congressmen. That will teach 'em.

izer meeting at Ebling's Casino in the Bronx, only a few blocks from the site of the first Christian Front street meeting of a year ago. Eight or nine hundred people turned out to hear Congressman Thorkelson of Montana and Mobilizer Commander Joseph E. McWilliams. Business in anti-Semitic literature was brisk. The audience was warned to look for spies, and the meeting got under way. Thorkelson was cheered to the rafters, but as he meandered on for an hour talking about gold reserves, people became impatient. Then he made an anti-Semitic statement. Immediately the house was in an uproar, with shouts of "Dirty Jews," "Kikes," "Mockies," and even more unprintable epithets filling the air. Then Thorkelson smiled and pulled the old gag about not being anti-Semitic since he loved the Arabs. McWilliams followed, skillfully working the audience into a murderous frenzy, after which he complimented them on their shouts of anti-Semitic obscenity: "I see you have learned your lesson well."

Mobilizers ask for streets

These meetings are representative of what, on a smaller scale, has been going on at hundreds of gatherings in recent months. They give faint hope to those who want to believe that Coughlinism has ceased to be a top-flight menace. The anti-Semites feel stronger, more confident, more familiar with the terrain than a year ago. They boast that last summer will seem as nothing compared to the coming one. Already the Mobilizers have notified the police of their intention to start street meetings on May 1 and have given the address of half a dozen corners they intend using. The plan is to double the number of meetings and to see that each is "protected." Strong-arm squads have been organized to police the meetings and to silence objectors or hecklers.

"We will meet force with force," McWilliams shouts. "This year no lousy Jews are going to break up our meetings or have our boys arrested."

At Mobilizer meetings, scheduled street speakers are introduced. Their general line will be to keep out of the war on the ground that it is a Jewish plot. (Let no one be deceived that such groups are genuinely for peace or will not veer with the winds of opportunism; Father Coughlin, for example, already is hedging in preparation for a possible abandonment of his neutrality stand.) The anti-Jewish boycott will be elaborated, and lists of recommended stores handed out from which Jewish-owned establishments will be omitted.

Last summer these organizations were able to make certain streets and neighborhoods of New York unsafe for Jewish people. This summer they plan to go at it again, but with more militancy and more organizational experience.

Whether they will succeed does not depend, of course, on their intentions alone. It depends also on the obstacles they encounter. The Hierarchy of the Church to which a large part of these zealots owes spiritual allegiance could do much to halt their misguided efforts by a public condemnation of the Christian Front, but it continues to maintain a profound silence. The LaGuardia administration too, it must be confessed, has been incredibly lax. Last summer it was almost impossible to have an anti-Semitic speaker arrested, whatever his incitement to violence; in many cases the police actually defended the speaker and arrested the objector. The Mayor's questionnaire is said to have revealed that a thousand or more police had been members of the Front and that twenty-seven admit present membership. Communications addressed to the Mayor and to the Police Commissioner on the attitude and plans of the city administration in this situation which menaces the

(*Continued on page* 30)

February 11,
Went into streets today and shot several hundred Jew-Communists. E says this will create anti-Semitism and lead to counter revolution Such fun! Bet Father is proud of us.

March 24:
Happiest day in my life, dear diary. We bombed the Comeo Theater and Jewish newspapers killing many. Chaos now reigns in country. Police and army with us. Will march on Washington tomorrow and install General Van in dictatorship.

March 26:
Dictatorship installed! Streets red with Jewish blood all as planned. Father just broadcast thanks that America is again Christian nation. Oh diary I'm so happy!

NOTES AND COMMENTS

The fog comes on little cat feet

Last month's *Equality* contained an article by Harry Elmer Barnes describing the activities of Colonel House during the last war. The article was historical and its facts cannot be disputed. Colonel House blew the trumpet of peace in public and, in private, worked on all six cylinders to involve us in the war. The author correctly drew the lesson for Americans today, namely: watch what is happening. Look behind words to deeds.

We mention this because *Equality* has received a letter from a reader in which Dr. Barnes' article is described as Nazi propaganda. Now, it is obviously absurd to maintain that peace sentiment is the same as Nazi propaganda. To do so would be to indict the whole American population.

But we can't dismiss this reader's letter as that of a foolish man or a crackpot or a "British propagandist." Unfortunately the sentiment behind it is a straw in an evil wind . . . and there are too many such winds beginning to blow nowadays for us to be happy about them. Let's call attention to a few of them. (Nazi propagandists, Allied propagandists, and all other advocates of America's entry into the war can shut their eyes. This is a discussion for the hundred and twenty-nine million other Americans.)

ONE: April 6 was the anniversary of America's entry into the last war. The next day the *New York Times* reported an Army Day parade in glowing terms. Buried elsewhere in the news was an article which sneered at a demonstration for peace which had taken place the same afternoon. A military parade is swell stuff, but a peace demonstration has something subversive about it, eh?

We consider this a straw in the evil wind.

Two—The administration has suddenly reversed its ruling on the sale of airplanes to belligerents. Henceforth, the newest planes are to be delivered to England and France . . . before our own Army receives them. Various explanations are offered to prove that this will help, not harm, our own military strength. Perhaps that is so. But Americans who really want the U. S. to remain at peace may well ask: How does it affect our *neutrality?* The only answer is: By such acts we are like a fool who sits on the branch of a tree he is sawing off. Branch and fool are going to hit the ground together.

The truth is this:

War, like the fog in Sandburg's poem, steals in on little cat feet. America won't be involved overnight, or by sudden hysteria. Hysteria is manufactured and comes later. It will be involved by gradual steps, steps that break down our neutrality over a period of months. It will be involved by turning our country's economy into a war economy, by cutting the relief budget and increasing the armaments budget (remember the Nazi substitution of guns for butter?), it will be involved by treating the fight for peace as Nazi propaganda.

The way to maintain peace is to stop the little cat feet from moving in on us.

Time to wash some sheets

"Flogging Called Virtually Part of Ritual for East Point Klan," reads a headline in the *Atlanta Constitution* for March 30, the first two pages of which were largely given over to the Fulton County (Ga.) grand jury investigation into the epidemic of brutal murders and whippings that has accompanied the Ku Klux revival. "One witness who had applied for membership," the account says, "told of being taken along on a flogging expedition before his membership had been voted on. He was made so ill, 'spiritually and physically,' he testified, by what he saw—the brutal swinging of the strap, the cringing and cries of the victim, the merciless gleams in the eyes of the beaters who took turns—that he hastened to withdraw his application and never again approached any of the floggers."

Subsequent inquiry has revealed other shocking details: whippings of women as well as of men, law-enforcement officials taking part in the lawlessness, Klan committees cold-bloodedly delib-

erating their next atrocities, bands in the Atlanta suburbs swapping jobs with one another to avoid detection. Are such activities un-American? Why has Mr. Dies repeatedly ignored appeals to investigate the Klan? Why have Department of Justice men, sent into South Carolina to look into Klan terror there, returned recommending that no action be taken?

Un-American activities of Mr. Dies

Back in the days when the Irish rebels, Robert Emmet and Wolf Tone, were stirring up the Sons of St. Patrick against their kindly benefactors, the British lords, a Tory member of the English Parliament demanded that the writ of habeas corpus be suspended in Ireland. Another member expressed opposition to

the proposal on the ground that it would violate the Constitution. Whereupon the apoplectic Tory shouted: "I'd be willing to tear up the whole Constitution, in order to save what's left of it!"

No doubt that sentiment would be echoed today by Martin Dies, Chairman of the House Committee to Investigate Un-American Activities by un-American methods. Mr. Dies seems intent on seeing how rapidly he can reduce the American Bill of Rights to a scrap of paper.

Now, the guarantees in the Bill of Rights cover every American, whatever his political affiliations or social views may be, whether he is a Congressman or a Communist, a college professor or cobbler. Mr. Dies and his colleagues have flagrantly violated the constitutional rights of many citizens by their recent series of headline-hunting escapades. Illegal raids have been made on homes and offices; unwarranted searches, seizures, and transportations have been effected; men have been jailed with complete disregard for lawful procedure. The raids on radical offices in Baltimore, and on the headquarters of the Communist Party and the International Workers Order in Philadelphia, together with the illegal jailing of two Boston Communists, Thomas F. P. O'Dea and Philip Frankfeld, are cases in point. The widespread indignation aroused by the unconstitutional, Gestapo-like tactics of the Dies Committee and its investigators naturally does not imply sympathy with the views of the victims involved. It does imply the recognition that Mr. Dies and his aides are at war not so much with radicals as with the Constitution itself.

In ordering the arrest of two Dies Committee investigators and a police lieutenant who engineered the outrageous Philadelphia raid, seizure, and transportation, Federal Judge George A. Welsh aptly remarked: "I do hope our people will try to remember that these civil and constitutional rights of ours are fundamental. They were given to us as the result of the battle of humanity throughout the ages and must be preserved. Only by the observance of these rights by all our people can our democracy stand." The documents seized have since been returned to their original owners, a tacit confession by the Dies agents that they acted illegally.

While the Dies Committee was running afoul of the law in Philadelphia, Federal Judge F. Dickinson Letts of Washington, D. C., ordered the release of O'Dea and Frankfeld, declaring that the Dies Committee had violated the constitutional rights of these men. Judge Letts sternly rebuked the Dies group for the manner in which the arrests had been made on the basis of affidavits unlawfully sworn out by Robert E. Stripling, secretary of the Dies Committee, at the behest of the chairman. That the violation had been deliberate on the part of Mr. Dies and his aides was implied by the pointed statement of Judge Letts that proper procedure in such cases was plainly written down in the federal statute books.

Such popularity must be deserved

"On the occasion of a banquet held in the Grand Ballroom of the Hotel Commodore in New York on December 8, 1938 . . . a guest was Fritz Kuhn, convict leader of the German-American Bund. He came to hear Dies, because, as he quaintly put it, he liked the work that the Dies Committee was doing."—*David Karr in Equality, January* 1940.

"Many Americans are quietly talking about what a fine President the country would have in Mr. Martin Dies, the Congressman from Texas."—*Father Coughlin's Social Justice, December* 11, 1939.

"I admit very freely that I am anti-Semitic. . . . If the Dies group continues its work the Silver Shirt Legion will close up. And with my blessings."—*William Dudley Pelley, testifying before Dies Committee.*

"It gives me much pleasure to congratulate you at this time on the splendid results you have achieved. . . . The nation owes the Dies Committee a vote of thanks." —*J. A. Colescott, Imperial Wizard, Ku Klux Klan, in the Fiery Cross, November 1939.*

A man is known by the friends he makes

"Thurman Arnold, head of the Justice Department's anti-trust division, has been doing a splendid job in cracking down on violators of the Sherman Anti-Trust law."—*Social Justice,* April 8, 1940.

Praise from such a source, if nothing else, should alarm those who hope against hope that the Assistant Attorney-General is acting for the best in prosecuting A. F. of L. and C.I.O. unions.

Milestones of a month

ETERNAL VIGILANCE IS THE PRICE OF LIBERTY: Time-honored confidential character of U. S. Census threatened by Department of Justice draft bill to make information available to Federal Bureau of Investigation; proposal shelved when news leaks out. . . . American Civil Liberties Union calls Mayor LaGuardia's coup in cutting Bertrand Russell's job out of College of City of New York budget "more objectionable than the decision of Justice McGeehan."

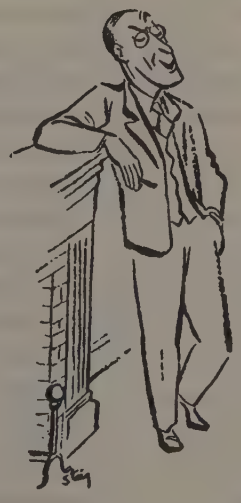
. . . Washington Commonwealth Federation, probing murder of Laura Law, asks Attorney-General Jackson to investigate vigilante conspiracy which "uses murder and violence to subvert the Constitution." . . . Holding that naturalized citizen has same right as native-born to own political views, Chairman Carey McWilliams of American Committee for Protection of Foreign Born protests attempt to revoke citizenship of William Schneiderman, California Communist. . . . National Association for the Advancement of Colored People protests sound version of *The Birth of a Nation*. . . . Civil Rights Federation, Detroit, circulates petition condemning use of Sherman Act against unions. . . . Hobbs, Dempsey, Smith, and Reynolds anti-alien bills necessitate sustained protest to Senate to prevent last-minute passage. . . . "The hardest fight that faces us during a time of war and war's alarms is the preservation of our civil liberties." Judge John Gutknecht says in presidential call for fourth annual National Lawyers Guild convention at New York, May 29-June 1.

WITH THE DIRTY SHIRT GROUPS: Members of discredited Bund penetrating native subversive groups like Klan; welcomed as experts in fomenting hate. . . . Congressman Thorkelson, who fills *C ngressional Record* with anti-Semitism at taxpayers' expense and recently panicked the Mobilizers, has a new passion: libel suits. Has filed two lately. . . . Lynching goes underground, report Senators Wagner, Capper, Gavagan, and Fish; lawless bands, quietly disposing of victims in swamps, responsible for "countless" murders yearly. . . . Merwin K. Hart, link between Dies and fascist groups, says in speech: "What started all this talk about democracy? . . . If you find any organization containing the word 'democracy' it is probably directly or indirectly affiliated with the Communist Party." . . . John Zitter, former Christian Mobilizer leader, tells in confession how Joe McWilliams planned private army.

AMERICA AT ITS STRANGEST: Robert Walandouw, ten years a Salvation Army speaker, deported to Dutch East Indies; American wife and children accompany Malay ineligible to citizenship. . . . Quizzed by a stockholder about Republic Steel's labor policy, Tom M. Girdler replies: "Some of my best friends are in organized labor." . . . Any attempt to unionize a whole industry is a conspiracy, Judge Bondy declares in trial which resulted in conviction of C.I.O. furriers under Sherman Anti-Trust Act. . . . The *New York Times*, which last December 19 called the Christian Front "an American organization," refuses an ad for the anti-Coughlin *Protestant Digest*.

AMERICA AT ITS BEST: Groups of New York high school students launch campaign to lift ban on Negro players in big league baseball. . . . U. S. Senator Edward R. Burke of Nebraska, who praised Hitler and was palsy-walsy with American fascists, defeated for renomination in Democratic primaries....Senators Wagner (N.Y.), Neely (W. Va.), and Capper (Kans.) in coast-to-coast broadcast for anti-lynching bill April 29 (don't forget to write *your* Senators supporting bill and asking for cloture to prevent filibuster) . . . Full-length film appears of Dr. George Washington Carver, Tuskegee scientist. . . . Louis D. Brandeis medal for service to humanity voted to Secretary of Interior Harold L. Ickes for "outstanding contribution toward racial and religious understanding." . . . Dr. Frank P. Graham, President of University of North Carolina, presiding at second Southern Conference for Human Welfare at Chattanooga, condemns poll tax. . . . Commemorative stamp in Famous Americans series honors Booker T. Washington. . . . At last, two sensible "alien" bills: H.R. 7239 (Marcantonio) to permit naturalization of Filipinos permanently resident in U.S.; H.R. 4221 (Coffee) to prevent denial of citizenship for having received relief. . . . Descendants of American Revolution organize Democratic Rights Conference in Boston. . . . President Roosevelt vetoes Starnes anti-alien bill which would have put premium on third-degree "confessions" of deportable offenses. . . . Flatbush Inter-Faith Council forms youth council for good neighborliness among all creeds. . . . Martin L. Cohnstaedt, refugee Rutgers student, declines membership in Alpha Zeta, national honorary agricultural fraternity, because of restriction to white students. . . . Negro, Chinese, and Mexican discuss "Whither Racial Minorities?" at San Francisco's School for Jewish Studies. . . . Negro lawyer appointed secretary to New York Supreme Court Justice Benjamin F. Schreiber.

DO YOU KNOW HIM?



"I believe in civil liberties but—all this peace talk helps Hitler and may have to be stopped."

A true story of the Hon. Unity Valkyrie Freeman-Mitford

BY HOWARD DANIEL

The Girl Who Wanted to Marry Hitler

[*Though we are a journal of domestic affairs, we are publishing this delicious piece of reporting about a girl who happens to be English but might well be from New York's Park Avenue or Chicago's North Shore. In her origins we encounter one of the soil types which offers sustenance to fantastic race theories.—The Editors.*]

UNITY VALKYRIE FREEMAN-MITFORD is a good example of what happens when you bring up your children with too much politics and not enough exercise. They are liable to get in with the wrong people. With the other five daughters of Lord Redesdale it was that way too.

The old man, Redesdale, a spiritual Nazi years before Adolf Hitler was working himself up into a fury down in southern Germany, brought up his six daughters with too much philosophy and race theory. Of course, almost all the children of the English aristocracy are brought up to regard themselves as a thing apart from the "ghastly commoners," but in this case a philosophical race theory for that superiority was thrown in.

Lord Redesdale has got tickets on himself as a philosopher. He was the English translator of the works of the renegade Englishman, Houston-Stewart Chamberlain, whose writings on Aryan race superiority are the philosophical basis of National Socialism. In Hitler's Germany, Chamberlain's *Foundations of the Nineteenth Century* is the book which comes after *Mein Kampf*. It is pretty heavy going, this reactionary product of a distant cousin of the British Prime Minister. Nobody but a race-theory fiend would battle through the toil of translating this insomnia cure from its original German.

And so, as the six stunning daughters grew up, they were intended to hob-nob with nice Aryan pure-bloods. But somebody went wrong. Some of them did not seem to be able to hold to the center of the road. One of the older ones married the scion of an old banking house which had a sprinkling of non-Aryan blood. Another married Sir Oswald Mosley, England's No. 1 Nazi, pure-blooded and Aryan right to his fast-receding forehead, but a nasty piece of work to have hanging around the house. Then another, Jessica, more commonly called Dekka, ran off to northern Spain with one of the wild Romillys, those radical nephews of Winston Churchill. After a lot of trouble with papa, including legal proceedings, the romantic couple eventually married. They are now working in a restaurant down in Miami much to the chagrin of the respectable parents.

And then poor Unity. The handout of crazy philosophy which she had been getting from her father took deep roots. She went to Germany to finish her education and to be amongst the *Uebermenschen*, the heroes. Already by 1934 she had developed a fixation on Adolf Hitler, but so far she

hadn't been able to catch his eye. As her sister was in process of taking Sir Oswald Mosley off the market (as soon as he had finalized the arrangement about the divorce of his second wife), Unity had two choices. It was either Benito Mussolini or Adolf Hitler. Benito cancelled out because he was an Italian and, to an English aristocrat, a pretty low-class one at that. Further, at that time the Italians had not graduated into the Aryan class. So that left Adolf.

A lot of nonsense has been printed about her romantic meeting with the Fuehrer in a Munich cafe in the summer of 1934, how Hitler spotted the beautiful Aryan girl and asked one of his adjutants to have her come over and talk. Anyone who has lived in Germany knows that things do not happen as casually as that. However, for Unity it was not difficult to get the right introductions. She had many friends in the Third Reich. Amongst them was the ex-German spy, Baillie-Stewart (the present Lord Haw Haw of the English language propaganda broadcasts from north German stations), the former Guards officer who had been sentenced to five years in the Tower of London for spying against his country. In due course she was rug-cutting with all the Nazi big shots. She met Goebbels and from then on never looked back. It is well known in Germany that if a pretty young girl wants to go places fast, the best way to begin is to see the little doctor. A young Storm Trooper I knew in Berlin told me that although the pretty English girl seemed up in the clouds, she was without doubt a realist.

Unity Valkyrie (with a name like that almost anything was possible) joined the National Socialist Party and her membership badge was autographed by the Fuehrer himself. But that's as far as she got with Hitler. He left it at making a public statement that she and one of her sisters were the two most beautiful Aryan women he had seen, excepting of course Frau Goering. This seemed to be one of Hitler's ready-made compliments. He passed it about the sister of one of my friends whom he saw in Linz last winter. She happened to be Jewish. Unity wanted to marry Hitler but the Fuehrer had other plans. It burnt her up.

She was still burning when I first saw her a couple of years later. It was in a fine art gallery at the back of the Royal Exchange in the heart of the City of London. I had drifted in to see two beautiful Venetian scenes by Guardi. When the plump young woman who seemed to be managing the gallery told me that the price was $4,000 each, I was about to drift out. As I turned to go she spoke to me.

"You're an Australian," she said.

I confessed that she was right.

"You see, I could tell from your accent. My mother was an Australian."

She drew me back into the gallery, over towards one corner where a tall, pretty, semi-blonde young woman was examining a small Henri Met de Bles. I was introduced to her friend, Miss Unity Mitford. We talked and they joked with me. What sort of an Australian was I to be looking at Guardi. Most of the Australians they had heard about didn't know the difference between Breughel the Elder and Piccadilly Circus.

We gossiped about a lot of things. I was slightly bewildered at their art history theory of blood and earth. Before long we got round to politics. They asked me if Australia were run by the Jews like England and France? At first I wasn't sure but then all of a sudden I got it. They were a couple of Hitler fans. We talked National Socialism for an hour, and as the gallery did not seem to be doing much business I suggested we adjourn for a drink. We walked down Cheapside to Pyms, a famous old bankers' bar. Contrary to published stories that Miss Mitford does not drink, she got to work on a Pyms' No. 4, a drink with plenty of umph.

My two companions were dyed-in-the-wool Nazis and members of Sir Oswald Mosley's British Union of Fascists. They gave me the fascist works for another hour. Unity had it all off pat, Houston-Stewart Chamberlain, De Gobineau, and Rosenberg.

(*Continued on page* 30)

Siegfried don't want no Valkyrie

Meet Mr. Smith's Committee

BY MERLE D. VINCENT

Government by inquisition finds a new practitioner, as House body invades civil rights in fight on labor board

IT IS a strange fact that one hundred and fifty years after the adoption of our Constitution the fundamental rights which it established are still the subject of heated controversy. Very few people openly challenge these rights. Nevertheless, tireless efforts are constantly exerted to suppress and deny them to many citizens who are least able to defend themselves. Attempts to narrow the application of these rights take various forms. We most frequently encounter them in fields where economic interests clash, as in the field of industrial relations. The relations between capital and labor have been productive of an uninterrupted controversy since the Industrial Revolution brought about the employment of ever-increasing numbers of workers under one management and frequently in the same plant.

The old pre-industrial master and servant idea has been carried down and into modern industrial employment. Limitation upon this view, from time to time, has been imposed in certain fields of employment by the recognition of trade unions and resulting collective bargaining agreements. The progress of this new relationship has been slow. The vitality of arbitrary authority stubbornly resists change. But simple and legal contracts freely entered into by the parties have developed social and economic values which far outweigh the supposed security that rested in an unrestrained control by employers of the jobs of their employees.

The first noticeable result of such contract relations is the peace and public order which follow. The next is the greater efficiency in the working forces, which acquire a greater job security than exists when job control rests exclusively in the employer. Working under contracts which they helped to make, enjoying increased job security, dignity and pride in workmanship take the place of fear and resentment, and hitherto untapped reservoirs of interest and capacity are developed. These co-operate to conserve and make the best use of materials; a higher degree of care characterizes the use of costly tools and equipment; time is conserved, and, of course, the final effect is a greater productivity of the worker. Management likewise improves its character and efficiency. Where these mutual contracts of employment have been long established, they very clearly demonstrate that rational industrial relations are an inseparable element of scientific manegement.

Organization: the American pattern

But unfortunately such mutual contractual relations do not exist in many sections of industry. Probably forty million industrial workers are unorganized. Their right to organize is not openly challenged, but recognition is refused these groups when from time to time they do organize. Many employers still refuse to meet organized labor and enter into collective agreements. Hence the enactment by Congress of the National Labor Relations Act to safeguard the right to organize and bargain collectively. It seems strange that such a law should have been required. Organization is the pattern of American business, civic, and political life. The most significant and influential type of organization is the business corporation. By corporate organization a few or large numbers of investors can act collectively to select their officers and agents who manage their business. These corporate officers and directors are the chosen agents of stockholders to make all contracts for the corporation and otherwise to direct its affairs. Then again, business concerns organize themselves into trade associations to promote their common interests.

Likewise other groups in the national community organize to promote the interest of those who are similarly situated and whose interests are affected by the same circumstances and influences. These include such typical organizations as labor unions,

farmers' unions and granges, consumer and producer co-operatives, civic groups, and many other types. As a rule these organizations are democratically governed and not infrequently render services of incalculable value to their members. The denial by business organizations of the right of labor or other organizations to act for their members is an anachronism. It amounts to an attempt to arrest one of the indispensable processes of economic life and accounts for the public demand for enactment of the National Labor Relations Act. It was a necessary public policy to give to industrial workers, who are numerically the largest economic group in the nation, the protection essential to permit them to organize and sit as equals in conference with their employers and negotiate contracts to establish a rational and legal relationship between the parties.

To understand the procedure and recommendations of the House Committee, which is commonly referred to as the Smith Committee, now investigating the N.L.R.B., it is necessary to outline briefly its background as well as the scope of the committee's authority and responsibilities. The House of Representatives, on July 20, 1939, adopted a resolution which created a committee of five members of the House. This committee was authorized to investigate and report on these specific questions: Whether the National Labor Relations Board had been fair and impartial in its conduct and decisions; what effect if any the National Labor Relations Act has had upon increasing or decreasing labor disputes and upon the economic conditions of the country; what amendments if any are desirable to more effectively carry out the intention of Congress and bring about better relations between labor unions and employers; and whether the board by interpretation or regulation has attempted to write into the act intents and purposes not justified by its language. Finally the resolution directed the committee to report on the question of the need, if any, for additional legislation to better define and clarify the meaning of the term "interstate commerce."

The author of this resolution was Representative Howard W. Smith of Virginia, who was made chairman of the committee. I shall attempt to trace and identify the origin and purpose of his resolution. Chairman Smith is not from an industrialized area where relations between employers and employees assume the magnitude of an important public policy question. It is not unfair to say that Mr. Smith in his discussions of the act and its administration indicates that he has derived little if any understanding of industrial relations from experience or other

THE SMITH COMMITTEE INVESTIGATES THE N.L.R.B.

sources. This fact doubtless accounts for his vote against the act. It would not be fair to him to say that he had any influential part in, or inspired, the organized and revolutionary attempt to destroy the act in the public mind immediately following its enactment. It would appear, nevertheless, that this organized opposition to the act ran parallel with his own convictions on the subject. To measure the quality of his committee's investigation of the subject defined in the resolution, it is necessary briefly to review the events which preceded the creation of his committee.

Resistance to law

The National Labor Relations Act was approved July 5, 1935. On August 27, 1935, the President appointed the board members to administer it. The Liberty League appointed a committee to examine and report on the act. On September 5, 1939, within ten days after the board was appointed, and before it had formulated rules of procedure, this committee, fifty-seven in number, in a hasty and ill-considered legal opinion, declared the act unconstitutional. Of course any citizen or group had a clear constitutional right to hold and express that opinion. But the

(*Continued on page 27*)

EDITOR: *"Keep this old file on atrocities alive. We'll need them as soon as the next war begins."*

FROM THE BEST OF ART YOUNG
Courtesy Vanguard Press

Paving the Road to War

How America's will to peace was undermined in 1914-17 BY WALTER WILSON

[*The bitter lessons of 1914-17 cannot be too often reviewed in these days of ominous parallels. Least of all can those concerned with civil liberties and racial and religious tolerance afford to let sympathy for one side in the present war gain the upper hand over a determination to keep America at peace.*]

NO NATION can travel the route to war until propagandists are sent ahead to cut away obstacles and pave the road. Allied propagandists know this well, and that is why today they have their agents in this country diligently preparing the way, aided by potential American war profiteers, for this nation to enter a new World War. The Germans, while harboring few illusions that we will enter the war on their side, are no less anxious to carry on their own brand of special pleading. Those who can keep their heads above the waves of propaganda long enough to think about it must be struck by many startling parallels between the present period and 1914-17.

It was several months ago, in anticipation of the war, that King George and Queen Elizabeth came to the United States to turn the first spadeful of soil in the gigantic road-building job that looms ahead for the Allies. Since then, work has been carried forward by visiting Frenchmen and Englishmen of all walks of life—business men, writers, lecturers, educators, ex-diplomats, laborites—none of whom was more worthy of his hire than Lord Lothian, British Ambassador, or Duff-Cooper, ex-Lord of the British Admiralty.

It seems like only yesterday (though it was actually just after the outbreak of the first World War) that the then British Ambassador to the United States, Sir Cecil Spring-Rice (an anti-Semite and a hater of American democracy), conceived the idea of bringing to this country a large number of upper class Englishmen and Frenchmen to carry on education about the war. American society matrons, in their republican salons on Park Avenue and Fifth Avenue, Newport and Palm Beach, vied with each other to see who could entertain the most imposing titles. Even labor missions were brought over: Samuel Gompers tells in his autobiography how James Snedden and Albert Bellamy convinced him that the war "was an issue upon which there could be no real neutrality." The salesmen of war, of course, did not admit their true nature any more than they do in 1940. A "wounded" French officer, Captain Joachim Merlant, for example, spent his "furlough of convalescence" touring the North American continent from Quebec to New Orleans and delivering seventy-nine pro-war lectures!

Of prime importance in working up war hysteria prior to April 6, 1917, was the relief work of Wall Street and Social Register committees. Herbert Hoover fed the Belgians with a will that was to fail

him a decade and a half later when his own countrymen faced destitution. Colonel Frederick Palmer, who as war correspondent and censor over the American Expeditionary Forces always knew the story back of the story, was told by Arthur Balfour: "How fortunate it was, for the sake of our relations with America, that we had the outrage on Belgium."

American hospitals and ambulance corps contributed even more to getting America into the great holocaust than did the widely publicized Lafayette Escadrille, a fighting aviation unit of wealthy young Americans. The ambulance corps, sponsored by the Paris banking firm of Morgan-Harjes, included names like Whitney, Crocker, Armour, Pratt, Warren, Clark, Parsons. A flood of magazine articles and books about these drivers followed, and M. Tardieu, generalissimo of French propagandists in the United States, rejoiced that they "contributed toward the American entry on the side of the Allies."

J. P. Morgan's little sister Anne raised a large part of the funds for these hospitals and ambulance services. Today, greyer and richer, she flits from France to America, mobilizing support for French wounded and again propagandizing Americans for war. A single-minded concern with the alleviation of suffering is a commendable thing. But one is permitted to wonder how single-minded that concern is which passes by the other side when Ethiopians, or Spaniards, or Chinese are dying.

Yesterday's war salesmen featured in their stock in trade the doctrine of freedom of the seas. (Of course atrocities were just as important, but the stories of how Huns mutilated Allied women, assaulted nuns, crucified Canadians, boiled down dead soldiers, killed babies wholesale, and murdered U-boat victims have been riddled so often that I am resisting the temptation to demolish them again.)

Advocates of war on the side of the Allies welcomed Germany's unrestricted U-boat campaign. Secretary of State Lansing saw in the submarine campaign "a blessing in disguise" and British Ambassador Spring-Rice says he prayed for the speedy destruction by the Germans of an American ship with American passengers. It helped the country forget that during the first eleven months of the World War England seized two thousand ships carrying American cargoes, most of them on their way to neutral ports.

The Germans had their propagandists in the United States too—just as they have today. But they were in position to do only a small-bore job compared to that of the Allies. Yet almost daily "sinister German propaganda plots" were uncovered in our newspapers; about the Allied plots nothing. This brings us to our final parallel—I'll let the reader make the others. Recently John T. Flynn, columnist and biographer of the Rockefeller fortune, told this story: A writer complimented J. Edgar Hoover for his investigation of foreign agents and spies in the United States and then asked him what the F.B.I. was doing about French and British agents. "Oh!" replied Mr. Hoover, "we've got nobody working on them. The State Department won't let us."

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WHAT ARE WE GOING TO DO ABOUT IT?
—Darling in the *New York Tribune, March,* 1917

BELGIUM
—Harding in the *Brooklyn Eagle,* 1914

Keep Church and State Separate

Sectarian instruction during school hours introduced in New York: A warning for America

THE PASSAGE and signing of the McLaughlin Bill in New York State, providing for denominational religious instruction during school hours, is so alarming in its portents not only for that state but for all of America as to call for comment in some detail. The fact that the people of New York State woke up on April 10 to find the bill law, even before planned protest meetings and delegations to the Governor could materialize, should serve as a warning to the other forty-seven states to be on guard.

The complete separation of Church and State constitutes one of the fundamental principles of our democracy. Our forefathers had to fight every inch of the way against intrenched reaction before that principle was established. It was one of the glories of the American Revolution that the union of Church and State in many of the colonies—a union that had stood as an effective barrier against equal religious and civil rights—was swept away in most of them when the new nation was born. Step by step, as democracy moved onward, the remnants of that union, inimical both to democratic institutions and to free religion, were torn away. Among the religious minorities within our population who gained most by this process were the Roman Catholics, who had been placed under various civil disabilities in a number of states.

Of late our long-established principle of Church-State separation has been under the intensive fire of organized groups on several fronts, particularly in the field of public education. A serious blow has just been dealt the principle by the New York State Legislature in passing the McLaughlin Bill, authorizing the public schools to excuse pupils for religious training under the auspices of their several denominations. Even more surprising is the spectacle of Governor Lehman, yielding like too many other liberal office-holders before the present wave of reaction and hastening to sign before eminent educators and religious leaders could marshal the case in opposition.

To many who are sincerely concerned with problems of religious education, such a bill may appear innocent enough, and even welcome. Its dangers become apparent only when its provisions are studied against the background of fundamental democratic doctrine in this country. The founding fathers saw in the system of free public schools one of the chief means for the growth of democracy. The cardinal principle of separate Church and State implies that religion is a private matter, free from any interference on the part of government. The position of the State in religious matters is strictly neutral; under its laws all citizens are equal whether they belong to one denomination or another, or to none at all. Equal protection is given to the free exercise of all sects; none is given special favor.

In accordance with this principle, the public schools have been carefully guarded from the disruptive influences of sectarian strife. As institutions maintained by the State, the function of the public schools has been to provide a secular education for the development of American citizenship. When well conducted, they have served as potent centers for the strengthening of the democratic concept, where pupils of all races, colors, and creeds are gathered together on a plane of perfect equality. Religious and racial contention is reduced to a minimum. Children learn to think of themselves not primarily as Protestant, Catholic, Jewish, Mohammedan, or Confucian sectarians, but as Americans all. Ample provision has existed for the religious training of children after public school hours and on Sabbath days in the places proper for such education—the home, the Sunday School and the Church. Those who prefer to send their children to denominational schools rather than to public schools have full freedom and opportunity of doing so, with the assurance of equal scholastic recognition on the part of the public authorities.

Now in New York public school children may be sent out for sectarian religious instruction during school hours. This will undoubtedly have the effect of accentuating the consciousness of religious differences and prejudices during that formative period of life when the sentiment of unity is most essential to the healthy progress of democracy. Particularly unenviable will be the lot of children belonging to

those religious sects considered by the majority of their classmates as strange or "queer": they are headed straight afoul that playground ridicule which can so easily cast an abiding shadow over personality development.

The provisions of the bill not only tend to disrupt an overcrowded curriculum, but involve supervisory difficulties likely to carry the school much farther into the field of religious instruction than is at first intended. Public school teachers will be burdened with the problem of directing pupils to their several places of religious instruction and checking their attendance, while religious educators, if they avail themselves of their prerogatives, will face an influx of pupils, at inconvenient hours and in numbers they may not be prepared to handle. The temptation will be to simplify the procedure, first by transferring religious instruction to public school buildings, and then by making the public schools themselves responsible for providing denominational instruction. And then arises that exceedingly grave question: *What denominations?* This was probably foreseen by certain sponsors of the bill, who are prepared to use it as a wedge for further inroads into our traditional principle.

It is unfortunate that some religious leaders were inveigled into supporting the bill in the hope of strengthening their denominational interests, and that others, while opposing it, feared to draw attention to themselves as minority groups by publicly stating their opposition. The hush-hush policy had its usual reward. As for those who hope to gain through the bill, unless they stand to win in the hard game of power politics, let them remember the tendency of State-supported religion to crystallize into one, two, or three patterns, to the hurt of all variants.

The McLaughlin Bill is of dubious constitutionality, since the Education Article of the State Constitution prohibits the use, directly or *indirectly*, of any public funds "in aid or maintenance other than for examination or inspection of any school or institution of learning wholly or in part under the control or direction of any religious denomination, or in which any denominational tenet or doctrine is taught." The Constitutional Convention of 1894 witnessed a historic struggle at which this principle triumphed after many Protestant bishops and clergymen battled for it.

The passage of the McLaughlin Bill occurred in the midst of a determined and deliberate assault by organized groups on Church-State separation. This offensive, which gained impressive successes at the Constitutional Convention of 1938, when transportation, health, and welfare services were made available to denominational schools at public expense, has been coupled with an organized attack on the public school system itself. Witness the unceasing and violent diatribes against distinguished educators who are accused of fostering "Godless" schools—a time-worn reproach hurled at those upholding the principle of Church-State separation in our public schools, including many great religious leaders. Few men were more deeply religious than Roger Williams, founder of Rhode Island and pioneer champion of liberty of conscience, who, setting down the principle of complete separation three hundred years ago, warned against any religious creed or sect trying "to inject its doctrines into civil affairs and institutions."

Incidentally, the virus of Coughlinism has already created such an unwholesome situation among public school teachers in New York City that Superintendent of Schools Harold G. Campbell recently was constrained to note the "increased tension resulting from religious and racial differences" which is tending to "undermine the morale of the instructional staff and to reflect on the education of the students."

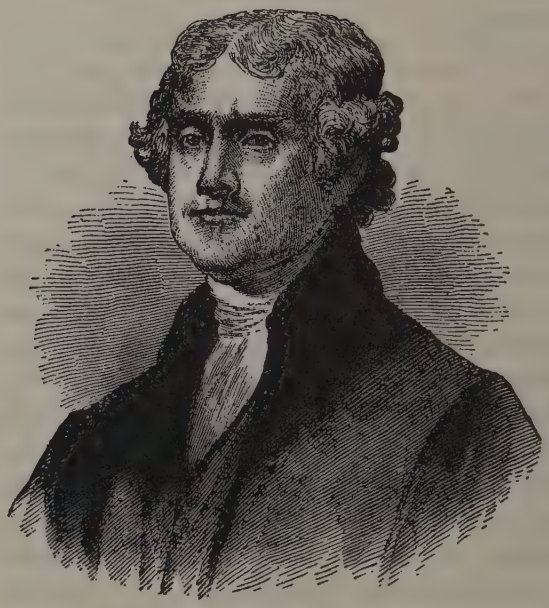
The furore over the New York City Higher Education Board's appointment of Bertrand Russell, voided by the amazing decision of Justice McGeehan, is in large measure a part of the organized campaign against the secular tradition in our public schools. On the heels of the McGeehan opinion came the passage of a resolution ordering a sweeping legislative investigation of the public school system in New York City. Will the day come when educators will have to parade the most intimate details of their private lives in public, while men of mean minds sit in judgment on them, and when their religious and social views will have to conform to the dictates of some particular, strongly-organized minority?

Meanwhile, threats of a similar nature appear in other quarters. The Sharkey Bill, now pending before the New York City Council, is aimed at achieving on a local level what the McLaughlin Bill does on a state-wide scale. Parallel efforts are being vigorously pushed in other states. The times call for vigilance in checking the movement wherever it manifests itself. It seems a pity that so much time and energy that is vitally needed for the positive promotion of democratic ideals must be expended in trying to correct situations that could have been prevented with comparatively little trouble if tackled in time.

Builders of Democracy

BY ALBERT DEUTSCH

Thomas Jefferson's Charter of Religious Freedom



JEFFERSON is loved and revered as the author of the Declaration of Independence, the father of liberal democracy in America, one of our three greatest Presidents, and founder of the University of Virginia, intended as a model of liberal education. One of his lesser known, but most valuable, contributions to human progress was his religious freedom bill enacted by the Virginia legislature in 1786—the first law providing for absolute, unqualified rights of religious opinion to be placed on the statute books of any sovereign government in the world. In composing his own epitaph, Jefferson included it as one of the three things for which he wished to be remembered.

In these days, when the principle of Church-State separation is once more threatened, when civil magistrates seek to set up religious tests for public offices under the guise of examining the "morals" of eminent educators, when certain government officials and legislators are trying to coerce free opinion and inquiry, when malevolent-minded men are stirring up religious strife as a prelude to the dismemberment of democratic government, it seems particularly appropriate to recall a great document that stands as a beacon lighting the road of freedom.

At the outbreak of the Revolution, many of the colonies had a State Church, officially recognized as the established religion and accorded power and privilege above all other sects. In Virginia, as in several other colonies, the Church of England held this pre-eminent position. About this time young Jefferson had become the acknowledged leader of the progressive forces in Virginia. Together with James Madison, George Mason, and others, he set about breaking down the bastions of feudal-aristocratic power which dominated his native state.

Shortly after his Declaration of Independence had been adopted by the Continental Congress, Jefferson was appointed to a committee for revising the state laws of Virginia. About 120 bills, many of them drafted by Jefferson, were submitted by the committee of revision, and nearly all of them were subsequently passed. Their total effect was greatly to democratize the political, social, and legal structure of the new state. In 1779, when Jefferson became Governor, the Anglican Church was disestablished, but its ministers still continued to be paid by public funds. The same year Jefferson's bill for religious freedom, completely divorcing Church and State, was submitted to the Legislature. It had the support of a number of denominations, notably the Baptists, who had suffered severe persecution in the past, and who proudly numbered among their founders the liberty-loving Roger Williams. Needless to say, the bill was violently attacked by others at the time as "utterly subversive" and "destructive of the Christian religion." Opposition on the part of civil and ecclesiastical reactionaries proved too powerful, and the proposed law was laid aside until 1785, when James Madison (in the absence of his friend, Jeffer-

son, who was then serving as ambassador to France) seized an opportune moment to reintroduce the bill, and it was finally passed the following year, with slight modification.

The Statute of Religious Freedom extends far beyond religion itself: its remarkable preamble may well stand as a definite statement of the philosophy of civil liberties. Within a few years of its passage it had been translated into several languages, and was used effectively as a precedent and model by fighters for freedom everywhere. In a letter to Madison dated December 16, 1786, Jefferson wrote from France that the statute had been "received with infinite approbation in Europe, and propagated with enthusiasm"—not by governments, but by the people.

The statute itself deserves to be studied and restudied. I should like to see it made required reading for Mr. Dies, his aides and abettors, for Justice McGeehan, and for all those who, under various pretexts, are seeking to intrude sectarian opinions into the process of civil government in America.

The Statute of Religious Freedom is herewith reprinted, with one or two minor deletions made out of space considerations. It is enthusiastically recommended as a text for our time.

THE STATUTE OF RELIGIOUS FREEDOM OF VIRGINIA

I. *WHEREAS* Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations, tend only to beget habits of hypocricy and meanness, . . . that the impious presumption of legislators and rulers, civil as well as ecclesiastical, who being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavouring to impose them on others, hath established and maintained false religions over the greatest part of the world, and through all time; that to compel a man to furnish contributions for the propagation of opinions which he disbelieves is sinful and tyrannical; . . . that our civil rights have no dependence on our religious opinions, any more than our opinions in physics or geometry; that therefore the proscribing any citizen as unworthy the public confidence by laying upon him an incapacity of being called to offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages to which in common with his fellow-citizens he has a natural right; that it tends only to corrupt the principles of that religion it is meant to encourage, by bribing with a monopoly of worldly honours those who will externally profess and conform to it; that though indeed these are criminals who do not withstand such temptation, yet neither are those innocent who lay the bait in their way; that to suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles on supposition of their ill tendency, is a dangerous fallacy, which at once destroys all religious liberty, because he being of course judge of that tendency will make his opinions the rule of judgment, and approve or condemn the sentiment of others only as they shall square or differ with his own; that it is time enough for the rightful purposes of civil government, for its officers to interfere when principles break out into overt acts against the peace and good order; and finally that truth is great and will prevail if left to herself, that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict, unless by human interposition disarmed of her natural weapons, free argument and debate, errors ceasing to be dangerous when it is permitted freely to contradict them:

II. *BE IT ENACTED* by the General Assembly, That no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities.

III. *AND THOUGH* we well know that this assembly elected by the people for the ordinary purposes of legislation only, have no power to restrain the acts of succeeding assemblies, constituted with powers equal to our own, and that therefore to declare this act irrevocable, would be of no effect in law; yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present, or to narrow its operation, such act will be an infringement on natural rights.

Academic Freedom: 1940

BY ROBERT C. CHALLMAN AND R. MARTIN KRAPP

THE ATTACK ON Bertrand Russell and his right to teach philosophy and mathematics at the College of the City of New York seemed at first like an absurd and laughable exhibition of bigotry. It has now become perhaps the most serious menace to academic freedom which America has known for many years. From a mere personal attack by isolated religious groups upon a distinguished mathematician, the question has grown to one which involves the entire future of every member of the academic profession in America.

Justice McGeehan, in his decision on Russell, made a simultaneous attack on academic freedom from the front, flank, and rear.

He challenged the right of the non-citizen to teach in a public college, thereby making insecure the status of all refugee teachers and impugning the long and honorable tradition of inviting foreign scholars to our halls of learning.

He suggested that the court be the final arbiter as to who shall teach in our colleges—a deprivation of the right of the profession to choose its own colleagues on the basis of professional standards.

He called into question the religious and political beliefs of Mr. Russell, matters which are irrelevant to competence as a teacher or scholar, and upon which every person should have the precious right to form his own opinions.

He used the conventional economic and social mores as a standard by which to judge Mr. Russell's fitness for teaching, when every schoolboy should know that the mores and customs are always in a process of change and that their critical consideration and study is and should be the constant concern of philosophers and social scientists.

The National Education Association, the largest organization of teachers in the United States, defines academic freedom in its *Journal* as "the right of the student to learn and the right of the teacher both to teach unfettered in the classroom and to enjoy the same rights accorded to other citizens outside the classroom." Justice McGeehan defines it as "the freedom to do good and not to teach evil." More specifically the judge seems to be saying, "Teachers have the right to do *what I consider* good and not to teach *what I consider* evil." The point is that teachers worth their salt must teach what *they consider* good, being careful, of course, to present all important sides of controversial issues and to present opinions as opinions only. To the extent that teachers cannot do this, "the right of the student to learn" is being jeopardized.

Attacks on academic freedom are not new. They are as old as the teaching profession itself. Many readers will recall the dismissals for anti-war opinions during the last war and the Tennessee Scopes trial. More recently (1937) Professor Jerome Davis, after twelve years of service, was dropped from Yale for his economic views, his researches into the nature of the present social order, and his activities in the labor movement. In the same year Professor Philip Keeney, Librarian and Professor of Library Science at Montana State University, after six years as a full professor, was dismissed. Professor Keeney, a well-known liberal, finally received his notice of dismissal after he had become active in organizing a local of the Teachers' Union. There seemed little doubt that this action, to the administration, was the "last straw."

Actually, the dismissals (with accompanying "blacklisting" of teachers who hold unpopular views) do not constitute, *in themselves,* the major menace to educational freedom. Much more important is the effect of such dismissals on the teachers who retain their jobs. Teachers are quick to apply the lesson to themselves and when threats in the form of "suggestions" and carefully phrased intimations of violation of "good taste" come to them, the result is an atmosphere of fear and insecurity which makes a mockery of enlightened thought and interferes with efficiency of instruction.

As Howard K. Beale, author of *Are American Teachers Free?* has said, "It is significant that a teacher never gets into trouble for the expression of conventional or conservative views. . . ." As can be inferred from Dr. Beale's statement, the instigators of violations of academic freedom are well known. Big business interests and associated defenders of the status quo are directly or indirectly the prime movers. Now and in the period just preceding the present war, the attacks on academic freedom have grown stronger along with the increasing invasions of civil

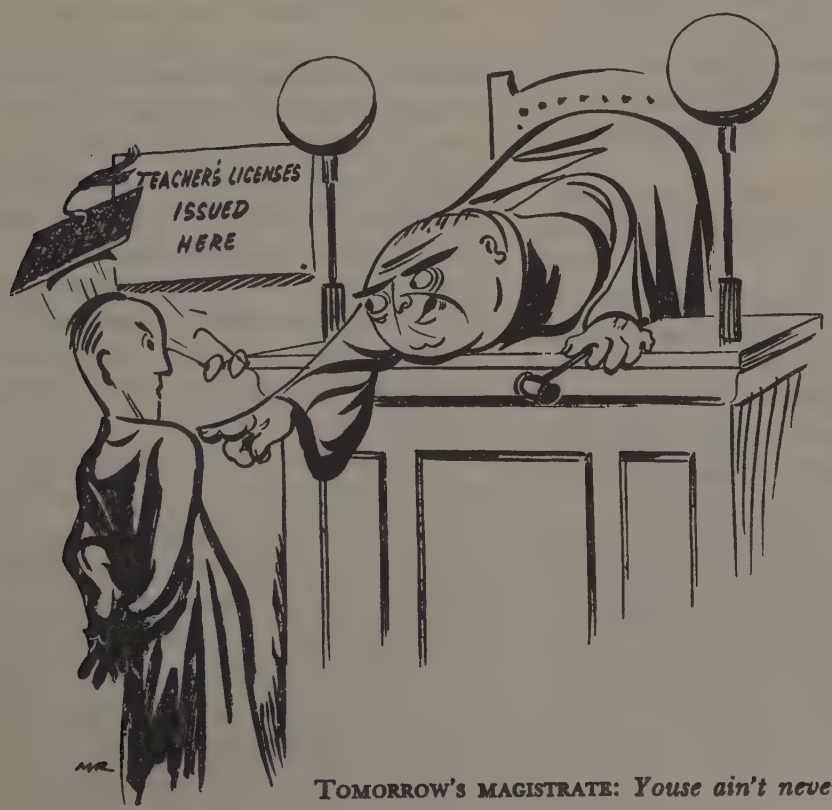
rights. Morris Fleischer, for example, a professor of physiology at St. Louis University for seventeen years, permitted his name to be used as a sponsor of a meeting in behalf of democratic Spain. He was dismissed. The president of the university admitted that he had responded to pressure which Catholic organizations in St. Louis brought to bear on him. This case is typical of many others.

Academic freedom may be assailed in more general ways. Today because of the drive toward war on the part of the reactionaries and the desire to reduce taxes for the wealthy, politicians are bringing renewed pressure to bear on the schools. They have reduced appropriations in Ohio, Pennsylvania, Wisconsin, New York and other states, they have appointed committees of inquisition in Illinois and New York. New York City has been especially singled out for attack. Within the last month a cut in appropriations has been used to choke off the Russell case, and the Rapp resolution was passed by the state legislature. This provides for a $50,000 inquisition into the New York school system (not into the overcrowded schoolrooms, of course, not into the obsolete textbooks, buildings and equipment, but into . . . "subversive activities").

The issues of academic freedom are essentially the same as the issues of civil liberty everywhere. Readers of *Equality* do not need to be reminded of the contempt for civil rights shown by the Dies Committee or in the wave of anti-alien legislation, the Federal Bureau of Investigation raids, and the unprecedented use of anti-trust laws against labor unions. Just as civil rights must be weakened as a preliminary to war, so must academic freedom be destroyed. The same groups who would like us to hear only one side of any political argument seek to force upon us a one-sided educational system. They will not feel themselves secure from the power of popular democracy until they have stifled both the rights of free inquiry and of free discussion.

An outstanding example of both types of repression occurring in a single case was the recent refusal by college administrations of permission for student groups to hear political speakers of their own choice. Although Yale, Massachusetts Institute of Technology, and a few other universities did allow Earl Browder to address their students, the students of City College, Brooklyn, Harvard, and Princeton, among others, were deprived of their rights first as citizens and second as students. It is interesting to note the excuse given—the fact that Mr. Browder was under indictment on charges of passport falsification was presumed to make him morally unworthy to address students. Now the same argument of moral worth has been applied to Bertrand Russell; and if

(*Continued on page* 29)



TOMORROW'S MAGISTRATE: *Youse ain't never wrote no books, I hope?*

WE CONDEMN

JAMES H. R. CROMWELL

". . . war a benefaction . . . unbelievable prosperity."

THE ECHOES of the war-rousing pep talk in Toronto by James H. R. Cromwell, United States Minister to Canada, are still ringing throughout the land. No statement by a public figure in recent years has succeeded in quickening the indignation of the American people as much as his gratuitous advice that every American do his duty by the British Empire. One Senator ironically asked whether Mr. Cromwell was the British Ambassador to the United States. Another charged him with treason. Thousands of Americans clamored for his immediate recall. The President kept silent. Mr. Hull, our Secretary of State, rapped him over the knuckles and advised him not to misbehave again in the future.

Mr. Cromwell has quite a colorful history. Some know him as the man who married and divorced several of the juiciest fortunes in the country. At present he is married to Doris Duke and her share of the $100,000,000 tobacco, water power, and aluminum fortune. Others know him as a friend and protégé of the notorious Mayor Hague of Jersey City and of Father Coughlin, who boasted: "James Cromwell, son* of the J. P. Morgan partner [E. T. Stotesbury], is giving me dope on the bankers."

But some will remember him as the money-mad cynic who wrote: "With the exception of the loss of life and the suffering endured by our soldiers and sailors, the people of the United States . . . found war a benefaction rather than a curse . . . unbelievable prosperity prevailed. . . ."

* Actually step-son.

WE APPLAUD

FEDERAL JUDGE
GEORGE A. WELSH

. . . not sacrifice liberty on the altar of patriotism. . . .

APPROPRIATELY enough it happened in Philadelphia, the cradle of American liberty. Federal Judge George A. Welsh of that district took sharp judicial action against the un-American activities of the Dies Committee "to investigate un-American activities." He declared that it was high time for the law to step in and call a halt to illegal actions. Two of the committee's agents, together with a police lieutenant, had raided the local offices of the International Workers' Order and of the Communist Party and had carted off a carload of records. The raid was unlawful and Judge Welsh issued warrants for the arrest of the participants. He made it clear that he desired a test case of the incident in order that it might reach the "proper tribunal," the Supreme Court of the United States.

With tears in his eyes, according to newspaper accounts, and in a voice trembling with emotion, the elderly jurist said: "I know there are many people who feel sincerely that our institutions are in danger from boring from within. There are people who believe agencies from overseas are trying not only to change our government but to destroy the pillars of the greatest government God ever gave a people.

"Tolerance on all sides is necessary today. Hatreds of many kinds are sweeping the country . . . class prejudice and racial hatred. We see the freedom of the press imperilled. We see editors jailed for using the God-given privilege of the free press, and today we see evidence of something we must deplore. I hoped we could test this question some other way, but I also hope that we will not sacrifice liberty on the altar of patriotism."

Well spoken, as a true American!

(*Continued from page 17*)

league committee's action did not stop with this expression of opinion. The opinion was released to the press, copies were mailed generally to members of bar associations and widely circulated among employers who were subject to the provisions of the act. Whether such action was intended to inspire resistance to the act and embarrass and defeat its administration must be determined from the attendant and succeeding facts, circumstances, and events.

Resistance to the act immediately followed the circulation of this opinion. At first this resistance took the form of discharges of employees for requesting conferences with employers and an opportunity to negotiate and bargain collectively respecting terms of employment as provided in the act. Complaints of these violations of the act were filed with the board. The board acted to require compliance with the law. Within the following eighteen months, nearly a hundred writs of injunction were obtained from courts to restrain enforcement of the board's orders. In several of these cases members of the Liberty League committee appeared for employers and cited their own league committee opinion as authority for the issue of the writs. These writs were all subsequently vacated. The Supreme Court in several notable cases sustained the constitutionality of the act.

But coincident with the use of this Liberty League committee's opinion to obtain injunctions against the board, armed resistance to the act was also resorted to by clients of members of the committee and by others. In many instances such armed resistance met the peaceable demands of employees for recognition of their unions and for conferences to reduce their business relations with their employers to a simple contract basis. This armed resistance to the act extended over a wide field of employment and frequently followed the same pattern of action in attempts to provoke employees to violence. Unarmed employees, for example, were massacred in South Chicago, others were shot and bombed in Ohio, and still more mobbed in the Mohawk Valley. Employees were victims of similar terroristic acts in scores of other fields when they peaceably requested opportunities to confer and discuss lawful contracts. One of the latest cases attesting these facts was decided November 8, 1939, by the unanimous opinion of the Justices of the United States Circuit Court of Appeals for the Third Circuit. The court said:

> Violence and hysteria were incited deliberately by Republic [the Republic Steel Company] in order to terrorize union members. Tear gas and fire arms were donated to the police department of Massillon.
>
> This course of conduct had its tragic result on the evening of July 11 in Massillon. The city police had been augmented by a number of specially deputized Republic foremen and other employees. On this evening the chief of police was absent. In his absence command of the police was taken by one Curley who had come to the force with the hearty recommendation of Republic's district manager. Under Curley's leadership the augmented force made an unprovoked attack on an unarmed crowd of strikers at their headquarters, killing three of them and wounding many others. During the shooting, which continued for half an hour, none of the policemen received any sort of injury. Immediately after it was over one of the special policemen who was a Republic foreman led a group of his fellows in a round-up in which all persons in the neighborhood of union headquarters were arrested without warrants. These policemen in the early hours of the morning broke into rooming houses occupied by union members, dragged men from their beds and hauled them to jail where they were kept for several days.

The circumstantial evidence is impressive that the Liberty League inspired widespread resistance to the act. If such circumstantial evidence of that fact is not in itself conclusive, direct evidence is found in court records that committee members who helped prepare and circulate the opinion cited it and obtained favorable court action. After the Supreme Court had in repeated cases sustained the act, counsel appearing before the National Labor Relations Board continued to challenge the constitutionality of the act as a defense to alleged violations, and still cited as authority for their contention this opinion of the Liberty League committee.

Whether or not this revolutionary resistance to an act of Congress and the Smith resolution are component parts of a common purpose appears to find an answer in the nature and character of the committee's procedure. We have seen that the resolution creating the committee confined its investigating authority to the National Labor Relations Act, the National Labor Relations Board, and the effects of the act and the board's administration of it. No other subject is mentioned. Naturally we should expect the committee to confine its investigation and adapt its procedure to the objects expressed in the resolution itself, unless the resolution was inspired by a purpose not expressed in it. If the resolution does not reveal its real purpose we should be able to discover the actual purpose in the nature and character of the committee's work and procedure.

Objects of committee disregarded

The committee's acts of omission and commission are both chiefly distinguished by their disregard of the objects expressly stated in the resolution. The committee could not intelligently investigate the effects of the act and its administration on labor disputes and labor relations without a searching inquiry into the Liberty League's obstruction of the board's efforts to administer it. Such an investigation would disclose these facts, which are already matters of public record: The Liberty League was financed by contributions amounting to several hundreds of thousands of dollars. Most of this money was contributed by officers and stockholders of corporations which, as employers, were and are subject to the provisions of the act. Some of the lawyers of the league's committee subsequently appeared before the board representing their clients who were charged with violating the act. These appearances and the use of their own committee's opinion in trial courts continued long after the Supreme Court had declared the act constitutional, and had also repeatedly sustained the board's decisions. It is difficult to reconcile the committee's failure to investigate these acts with the idea that its procedure followed a course dictated by a desire to obtain facts as a basis for its recommendations.

We shall turn now for a moment to its investigatory acts. One of its early acts was to issue a subpoena to officers of the District of Columbia Chapter of the National Lawyers Guild. The Lawyers Guild membership comprises many distinguished public officials including federal judges, cabinet members, and many persons in private practice. The committee's subpoena, dated October 20, 1939, commanded the officers of the guild to appear in person and forthwith to produce before the committee within twenty-four hours all its books and records and in particular the

> original or copy or copies of the minutes and resolutions of your organization and all pamphlets, books, literature, circulars or form letters or otherwise, and copies of all press releases and speeches prepared by any officer or member of the National Lawyers Guild from the date of the inception of your organization to the date hereof.

Here we have an assertion of authority to examine and presumably question every published article and public address ever made by any member of the guild on any subject of whatsoever kind since the date of its organization. It is true that when the guild prepared to challenge this demand the committee on its own motion backed down and cancelled its subpoena. But this did not cancel the purpose with which it set out upon this inquisition, which obviously was unrelated to its responsibilities.

The sinister quality of this act is obvious. If the committee possesses such power respecting a lawyers' organization, it can likewise require any lawful organization of citizens whether farmers, labor, merchants, or others to produce all their books and records and the speeches and writings of its members merely because the members of such an organization have assumed as citizens to exercise the right to discuss public questions, public policy, public law, public administration.

If this act of the committee appears to be an extreme instance of disregard of the purpose for which it was created and of disregard for the constitutional rights of lawful organizations and citizens, perhaps another instance will be sufficient to dispel any idea that the committee's action in this particular instance was singular, or that it does not reflect the real character and purpose of the committee.

Dramatic critics?

At about the same time the committee also made a rather startling demand upon the union to which a number of the employees of the National Labor Relations Board belong. This demand included among many other items the production of all memoranda and correspondence relating to the showing last year of *Pins and Needles* at the National Theater in Washington. It happens that this organization had nothing to do with the showing of that play. More important, however, is the committee's inquiry into the right of citizens to engage in such lawful enterprises. *Pins and Needles* is a production of the International Ladies Garment Workers Union. After a two years' run, it is still going strong. It is a distinguished production, the chief characteristic of which is comedy in the best American tradition. It satirizes and pokes fun at dictatorships and at those who have the jitters over labor organizations.

But the committee's inquisitorial nose was not yet satisfied. Many citizens will recall two distinguished moving pictures made under the auspices of one of the departments of the federal government. One of these is *The River*. It is a splendid portrayal of the devastation through neglect of lands and natural resources of incalculable value. Of course the picture reflects upon the policy of neglect which is responsible for this destruction. It is educational in the best sense. Evidently the committee regards such an exhibition of historical facts as satisfactory proof that the National Labor Relations Board and its administration are bad. Just what the relationship

may be between the National Labor Relations Act and its administration on one hand and this picture on the other is not easily discernable to the naked eye of an ordinary citizen.

The committee's inquiry likewise extended into the production of an equally celebrated moving picture: *The Plow That Broke the Plains.* This is also a historical study and portrayal. The soil erosion which has occurred in the Dust Bowl area of the West is now a part of that history. Evidently the exhibition of historical facts is regarded by the committee as proper subjects for its investigation, but what relation *The Plow That Broke the Plains* has to the National Labor Relations Act and its administration appears somewhat obscure. These events in the life of the committee are perhaps sufficient to show the plans and purposes of the chairman when he introduced the resolution and during the committee's subsequent activities.

A wrecking expedition

Space does not permit an inquiry into the details of the committee's actual hearings. It is entirely fair to say that one would have to search recent court proceedings under dictatorship governments and the star chamber proceedings of an earlier age to find procedure comparable to that presided over by Chairman Smith. Counsel for Mr. Smith's committee apparently felt so confident that he represented a wrecking expedition that he did not observe the ordinary courtesies and amenities of civilized life in his examination and treatment of witnesses summoned by the committee. Minority members of the committee who sought to protect witnesses from this conduct and to enable them to reveal facts on the subjects about which they were being questioned were treated with equal discourtesy by the committee's counsel. Members of the board and numbers of its employees were examined.

In its report and recommendations to Congress, the committee disregarded most of the history and records relating to the most important administrative acts of the board. The fact that it was repeatedly sustained by the Supreme Court did not appear to arrest the attention of the committee. It placed all emphasis on certain acts of minor officials showing isolated instances of bias and indiscretion. The fact that the board had to build up a large organization very rapidly with a personnel which was inexperienced, and that it faced and was constantly harassed by the obstructive sabotage of the Liberty League, was given no consideration.

The obvious object of the committee's procedure, as disclosed by its report and recommendations, was to complete what the Liberty League had failed to do, that is, to discredit the act and defeat its administration. It would be quite impossible to put any other construction upon the committee's attitude and acts. By referring to the committee's attitude and acts I do not include Congressmen Murdock and Healey who repeatedly intervened in an attempt to obtain the observance of methods of inquiry that would reveal the important facts relating to administration of the act. Necessarily they were powerless when handicapped by the chairman and counsel for the committee.

Upon this history of the committee's activities it is necessary to say that *probably no Congressional committee ever before attempted such an invasion of the civil rights of lawful organizations and of citizens by excursions into fields wholly unrelated to the purpose for which the committee was created;* that having full knowledge of an open attempt by unethical practices and inspired violence to obstruct the administration of an act of Congress, it closed its eyes to these acts and set about inquiries that were wholly foreign to its authority. But one conclusion is possible. If the policy and procedure of the committee were fashioned by intelligence, then it is difficult to find satisfactory evidence of its integrity. If the conduct of the committee was honest, then it must be said it was not characterized by any intelligent understanding of the responsibilities with which it was charged.

ACADEMIC FREEDOM: 1940

(Continued from page 25)

canons of "morality" as interpreted by any judge or administrator are to be the test of our teachers, standards of instruction will obviously reach a new low.

In beating off attacks on academic freedom, the teachers have played their part well. The Teachers' Union has done such a good job in the fight for security of tenure and freedom of thought for its members that it is being favored (like the Congress of Industrial Organizations, the National Labor Relations Board, the consumer movement, and the American Youth Congress) with the title of "red." That is one accusation which is hard to take seriously. For the last twenty years and more, whenever a union has done a good job of fighting for its members, it has become "red." The struggle for academic freedom is one phase of a larger right for values to which none of us can remain indifferent.

THE GIRL WHO WANTED TO MARRY HITLER

(*Continued from page* 15)

At first I played dumb to hear all their story. And I was interested. I had read much National Socialist literature, but these were the first red-hot exponents I had met at close quarters. I started kidding her about Nazi lying. Didn't the big shot say that no Jew died fighting for the Fatherland in the war of 1914-18? Didn't Mosley say that no Jew fought for England in the same war? Surely this was lying. I quoted the official figures for the Jewish dead. She interrupted me in anger.

"If the Fuehrer or Sir Oswald said something, then it must be true."

We were all a little excited. I told her that her trouble was that she had a Fuehrer-fixation and wanted to marry him. Perhaps I said it to make her angry. An ordinary response would have been "bosh," but I had accidentally voiced one of her hidden desires. With the expression of a Bernini St. Theresa in an ecstasy, she whispered in holy awe:

"I could dream of nothing more beautiful."

I asked Unity what she was doing about the degenerate democracy she lived in, besides talk. In a casual tone she told me that every Saturday she went out on the Moor Park golf course near her home in Buckinghamshire and practiced shooting with a Mauser. After that I left. I remember going to a catch-as-catch-can wrestling match to see some good clean sport.

I never spoke with her or her plump friend who managed the fine art gallery again. Fanatics of any color are trying if repeated. But I saw her again. This time it was a Sunday afternoon in Hyde Park, that ancient blowing-off ground for the politically and religiously discontented in London's West End. This Sunday there happened to be a monster meeting by the Communists excited about many things, including fascist aggression. Along came Unity, tall, beautiful, and full of aristocratic contempt for the Bolshevik scum. She was wearing her National Socialist Party badge, the much advertised one autographed by Hitler. I followed to see what would happen. At first no one noticed. Then all of a sudden somebody let out a yell as if a wasp had struck him. In a few seconds the comrades were yelling their heads off.

She lost her aristocratic poise as they started pushing her around. And when they started to scream that they would drown the Nazi filth in the Serpentine (the small lake in the center of Hyde Park), she became a terrified child completely devoid of human dignity. But the Cockney workers generally restrict their violence to cussing. She had her National Socialist badge ripped off and her clothes torn but she wasn't thrown into the lake. The police took her away.

She never learned anything from this of the advantages of democracy. As an old English cleric said the other day, the trouble with Unity Valkyrie Freeman-Mitford is that she needs a good belting.

MORE ANTI-SEMITIC RIOTS?

(*Continued from page* 10)

safety of a third of the population are ignored or receive evasive replies.

The most hopeful sign, to date, is the organization on a neighborhood or community basis of a score of tolerance groups, ready to give battle to the bigots through the message of reason and fair play. These groups, embracing in all an estimated twenty-five thousand members, include the South Bronx Committee for Tolerance, the Washington Heights and Inwood Co-ordinating Committee, the Flatbush Inter-Faith Council, the Kingsbridge Citizens Committee for Democratic Action, the National Council for Unity launched in Astoria, the Upper Bronx League for Democracy, the Greater Ridgewood Citizens Committee, the Rockaway Beach Citizens Committee, and the Federated Council for Americanism. Most of these are membership groups; some operate on a delegate basis. They distribute literature at meetings and from house to house—leaflets, papers, or house organs that answer in simple, convincing terms the lies of bigotry and racism. When the Christian Fronters hold street meetings in the neighborhood, the tolerance people reply with counteracting meetings.

The speakers are frequently prominent neighborhood Protestant and Catholic merchants, lawyers, physicians, or clergymen, unaccustomed to speaking under such circumstances and at first a little embarrassed at the thought of talking on the streets, but determined to meet the enemy and prevent him from turning neighborhood good will and solidarity into hatred and suspicion. These men are new pioneers with a new kind of courage and consecration, but they are working in the best tradition of American freedom and fearless facing of issues. On such men, and on others in all walks of life who do their duty as they can, depends the answer, not only to the question of what lies in store this summer, but what the future of America will be.

The rhythm of life in San Antonio's Mexican community

Pecans, Cotton, Pecans, Turkey...

BY BEN APPEL

From Southern Newspapers

WE, THE GOVERNORS,
INVITE INDUSTRY
TO THE SOUTH

United we stand for uniform taxation policies. United we stand for a friendly labor attitude between employer and employee. United we stand to aid and protect industrial development in the South.

And on this basis, we, the Governors of the Southern States, invite industrial leaders to investigate the unmatched industrial advantages that exist by reason of our moderate year 'round climate which insures ideal working conditions, lower capital investment, low production costs—in the midst of an unlimited supply of raw materials.

SOUTHERN GOVERNORS CONFERENCE
Bona Allen Building, Atlanta, Georgia

Including the Governors of Oklahoma, Texas, Tennessee, Louisiana, Alabama, Mississippi, Georgia, North Carolina, Florida, Arkansas and South Carolina.

[*From the author's* The People Talk, *a volume of reportage on America to be published by E. P. Dutton and Company in June. This chapter gives insight into the problems of a southwestern minority numbering a million and a half persons.*]

ON THE Main Plaza in San Antonio, the Cathedral of San Fernando rises into the night like a commemorative stone to Texas' Spanish centuries, the carven slab set in the cathedral's wall a requiem:

The remains of the Alamo heroes are entombed in the chapel at the right hand side of the entrance of this cathedral.

I enter San Fernando. Above the alms box with its inscription: *Misas Para Las Almas,* a notice reads:

Sociedad de Cristo Rey, Novena de Cristo Rey, Año de 1939.

Inside, in the yellow and red interior, the incense swirls, old and almost antique scent over the heads of the Sunday night worshippers, the women in black head veils, the little girls in white. Their dark Latin faces, their brown eyes suddenly seem to enflesh the buried generations of conquistadors. The Spanish centuries of *padre* and *hacienda* become alive again as the voices of the choir boys flute upwards towards the high-pillared ceiling.

The new century

Outside, on the next corner, the First National Bank commemorates the new century. The comfort station in the center of the plaza has four entrances. It is night, but I can make out the carven letters above each door:

WHITE MEN
COLORED MEN
WHITE WOMEN
COLORED WOMEN

The signs of the business men in San Antonio's West Side are written in Spanish:

MI BARBERIA HAIRCUT 10c
ABOGADO
SE VENDEN TORTILLAS

It is a neighborhood of unpainted houses, the wood grey and warped, the roads unpaved and pebbly. The letter boxes are broken as if nobody ever received any mail here.

I call on a family I know. Inside the house, the father is prone on a cot under a red tat-

tered blanket near the window. Vines lace the window's corner. The sun glows on glass. He props himself up on one elbow, his brown eyes warm and soft as the eyes of the Indians, his face lined from a life of hard work.

"Back from the job?" I say to him.

He smiles. "My father work before me and I work now." Over on the dresser, the kerosene lamp stands, old-fashioned.

"What kind of work did your father do?"

"My father used to work in the roundhouse in Laredo. We moved from Laredo to San Antonio in 1905. My mother was a widow." He lights a cigarette. "She wanted to give us an education. We was three brothers like I told you. In those days, parents used to furnish their own books for the children at school. My mother used to work at the laundry. We went to school just a few years, about five years. Not a very high education." His smile now is reflective. "I had to quit school. We was three brothers and she couldn't furnish all the money we need. We worked pickin' cotton. I was about thirteen, fourteen years. We was not used to it. The first day we went in the cotton field, we went pickin' cross ways. We didn't care much about pickin' in a row."

. . . *like son*

"Like pickin' berries," his son says laughing, coming into the room from the adjoining kitchen. He leans against the wall, a tall young boy of eighteen, his black hair combed straight back. His features are longer than those of his father, but the friendly smile is the same.

"That's right," the father agrees. "But they told us soon how to pick it. Not to leave part of the crop back behind." He gestures towards his belly. "Carry the canvas bags here—Then we

had other work. Pecan shellin'. We used to shell pecans at home. Nobody dream of fact'ry then. The contractor used to bring it home in a horse wagon. My mother used to empty the sack right on the floor, put a kerosene light in center, and the children sittin' around shellin' pecan."

"No rules for health then?" the son questions. He returns to the kitchen and comes out, a tin cup in his slender hand. "That's the pecan cup."

"We used to get paid four cups for five cents," the father continues. "The contractor pay us. Four cups in a quart—Contractor used to come around four, five o'clock and we used to keep going until eleven, twelve o'clock. My mother had to be there or the children wouldn't work. Sometimes we had a couple partners. They came there to eat and to shell. We go to war?" he asks abruptly.

"I hope not."

"War—around 1910, way before the big war, I used to hear about the Mexican War. They say many people get killed. It lasted plenty. The big war lasted plenty. The poor man don't need war. The poor man needs work."

A little girl goes to her father from the kitchen. He puts his brown strong hand on her shoulder. She peeks at me, a shy birdlike child with long black hair and a small thin face. "I work," the father speaks with quiet finality. "I work in restaurant washin' dishes. I work for a grocery, deliverin' grocery. I used to get paid six dollars a week from seven in the morning to eight at night. When I got married I was getting nine dollars a week. There was plenty work, but not very much money. Then the war come and I join the National Guards of Texas. In those days when the volunteers were called—they just gather a big bunch and muster into service. My physical condition was not strong enough to stand the very hard work in cavalry. Seein' I wasn't fit for soldier I got married. She's been a purty good wife to me." He smiles but his eyes look worried as if he were still thinking of war.

Mexicans go behind

His son rubs his knuckles. "They're always giving the preference to white people. The Mexican people always go behind."

"Up in Chicago when I work there, I work for Armour Company and I get forty-two cents an

hour with the fertilizer gang," the father recalls. His eyes smile now, his thoughts in the past. "I used to take a bath before I leave to take the street car—They give you the seven cents back and make you go off if you don't take a bath."

Father and son laugh.

"I left this boy with my mother," the father says. "He was about seven or eight years. He was sick so I had to come back here. I went to work for nine dollars a week. Now I'm gettin' thirty-nine cents an hour. That's good money in Texas. I'm on the sewer project. I only work two hours today. We only given one hundred thirty hours a month. After you make one hundred thirty hours, you git a vacation—Outside of the State of Texas, I used to wash dishes with machine and get eighteen a week. The owner give me food when he found out I'm a married man."

"Now," the son comments, "you get three dollars a week. You can eat all you can in there. But you can't take anything out. Soon we work picking turkeys. The females, we get four cents, the gobblers five cents. You get an old turkey gobbler, you stay two hours for five cents."

The father puffs on his cigarette. "They used to pay ten cents. That job last from Thanksgiving to Christmas to New Year."

"That was long ago," the son reminds his father. "The don't pay ten cents no more. We never git a turkey to eat. Not even a handful of feathers."

"Only the lice they let you take out."

They both laugh as if the jobs of their lives were part of the game, a strange fantastic game in which they are involved with their bodies, but not with their minds.

"You git all bloody," the son amplifies. "And they keep the feathers. I think they make pillows out of 'em. If you tear a turkey—You pull those feathers too hard, the skin comes off! But you pick as long as they last. Then you wait for the farmers to bring in more. They pack two-three cars a day and ship 'em up north. The whole West Side picks. The whole family goes to pick. You meet a fellow and he says he's going to the *guajaló.' He's going to the *turkey,* but we know it's to pick."

"It's just pecans, cotton, pecans, turkey." The father strokes the hair of his little girl. "In between seasons, times gits hard. I haven't shelled pecans for a long time, but you have to make a certain amount—"

"I tried it one day and I was out the same day," the son exclaims, laughing at the *game.* His blue shirt, his dark eyes, and light brown skin all seem equally vivid and young.

"You were brought up here?" I ask him.

Anglo arrogance

"Yes. We'd go swimming in the river. We'd swim in San Pedro Creek right in town. I used to swim there and go to school. I just went up to the high fifth," he says with the solemn recollection of a young man. "Even when we were kids, the Negroes and the Mexicans, we always been on good terms. But the white boys haven't. In the high schools, the Mexican boys have been big battlers with the Anglo-Americans. Sidney Lanier High School beats the others in football and basketball, and the Anglo-Americans git uneasy about it. During the carnival in April—" He interrupts himself. "Last year it started with stoning the buildings and the Mexican boys. They caught these boys unaware. The boys couldn't foller them. They had no cars. When the carnival came, and the bands parade, and the Battle of the Flowers parade, when these Mexican boys saw the other boys in R.O.T.C. suits, they just wrecked 'em. There wasn't a high school boy without a patch on the eye."

"They're always trying to discriminate the Mexican people," the father says.

"That fight keeps on all the time. That Conception Swimming Pool—they don't want the Mexican boys to take a swim there." He looks like a battler, himself, as he talks. "These parks located in Anglo-American districts have swimming pools, but there's no swimming pool in the Mexican district. A creek runs through. You can swim there! But young people don't care much. You have fun. A boy who has means and goes broke, it's pretty hard for him. But a Mexican boy who's struggling, he can take it."

He smiles. "Last April, I went up to Wyoming for a six-month term on the C.C.C. I registered in the WPA office here. I waited. They asked me if I was willing to go and I said yes. I was taken from here with a hundred seventy-five boys, Anglo-American boys and Mexican boys."

He no longer refers to "white" boys, his pride quiet and deep. "The majority were Mexican boys. The Anglo-Americans they treat us fine and say: 'We have nothing against the Mexican people.' We stayed in Bastrop, Texas, and were given typhoid shots and injections for sun stroke. We drilled every day in our khaki uniforms. We had them big soldier shoes, G.I. shoes, and overseas caps—They call everything in the C.C.C., G.I. or Government Issued. We fell ill from

the shots and stayed in bed about two weeks. After that we started drillin'. They didn't like it first, bossin' em—We used to go to bed back home when we please. But extra duty made 'em get on the line—Peel a hundred pound sack of potatoes after supper!" He grins. "We were taken to Baggs, Wyoming. That's mountain country across the way from Colorado. We didn't like the country. Too high altitude. Some of the boys couldn't breathe well and they were brought back. The boys were separated into crews. Some worked buildin' roads through the mountains. I worked two months on that. I then worked for Army overhead. That's work in camp. I painted around. We were done by Saturday. I liked it pretty good. If you went to town without permission, the captain mark you A.W.O.L." The memory of the camp and the mountains is strong in him. "Twice we was called to forest fires—"

"Electricity jump!"

"I was working in electricity in Chicago," the father remembers. "The electricity jump! They was two Polish people—one had a bar on the rail and a piece of the bar broke. The electricity jump! He was burned black. The second one went to him, but he did not die."

"In Baggs, there was one hundred ninety population. More boys in camp than in town. So they think the C.C.C. camps composed of cut-throat and bank robbers, boys who can't get along in the cities. And send them out into the wild country—The captain put up a big sign: *This is not an institution nor a correctional institution.* He tell the people they need not be afraid. After that some ladies come from town and looked us over and said: 'We're going to have a meeting Sunday and want you boys there.' It was a lil old church, and we couldn't all sit down. After the meeting, the ladies started talking to us. They wanted the cemetery cleaned. They wanted volunteers: 'After you've cleaned it we have a big supper here in the clubroom.' A number of boys stayed there and cleaned up the cemetery from weeds and sage brush. That evening they gave us a good supper."

"They think he's an Indian," the father laughs to himself.

"Yes. We tell them we're Mexicans and they ask: 'Do you throw knives?' One boy ask me: 'Where you come from?' I tell him San Antonio, about a hundred fifty miles from the border. 'That's pretty close to Mexico,' he said. 'Are they mean in Mexico?' I said: 'They drive cars if they got 'em and wear clothes.' He said: 'Is there rustling there?' I said: 'There's hardly any cattle to rustle.' " He shakes his head. "In that town they talk over the fence, gossip. They called us jitterbugs because we wore six-inch cuffs and striped sweaters at the dances. We called 'em cowboys because they wore boots and bright shirts and big hats. They didn't like the way we danced—We went to a dance twenty-three miles out in the mountains. The sheriff was sittin' in one corner, smoking a pipe. I heard a couple shots outside. I went to the door. A cowboy had a gun in his hand and wanted to come into the dance hall. I told the sheriff. He said: 'He's just havin' a lil fun' and kept on smoking his pipe."

"I have never have a knife," the father says gently. "There are knifings here in San Antonio sometimes. A knife makes no noise."

The mother comes into the room. "We manage," she says as if she had only listened to her husband's talk about jobs, not to her son's. "In some family, the money they gets is not enough—When I was a girl I work hard in the field. The poor people have to work! We pick cotton in west Texas. They give us lil house like chicken house. Water, they give us. Tank water from the rain. The tank all dirty. The cow come, the horse. The pig drink, too. We work hard. My mother have to come from work and fix dinner for the children. We pick from four in the morning until seven at night. Pick bumblebee cot' and your hand's all blood. Sometime we have no money to buy glove. I was seven year when I started pickin' cotton. My father show me how. We live in chicken house. Pickin' cot'! My mother have to cook outside. Make the fire on the ground. We cook potatoes, some beans. The same meal all the time. We have to eat!" she cries

out, her voice almost despairing. "We make a lil money just for eat. We have no place to raise no chicken. We have to work for beans. Sometimes we boil 'em, sometimes we fry 'em. We have to like 'em. Sometimes no chicken house. Live in tent. But I marry. It better for me. My husband a good man. But some family they have no water in the house. Right here in San Antonio. No water. They get water from the other houses. How they live?"

The father speaks. "I'm the one doin' the work." He looks from his wife to his tall son and little girl as if his strength will last forever.

BOOKS

How anti-lynching bills are lynched

FILIBUSTERING IN THE SENATE. By Franklin L. Burdette. 252 pages. Princeton University Press. $2.50.

MR. BURDETTE'S entertaining and instructive book is a valuable contribution to our political literature. More than a mere treatise on the fine art of filibustering, it is a portrait gallery of gallant and ruffianly orators who have figured in some of the most dramatic word-battles in political history. From John Randolph to Huey Long, the filibusterer has relied upon his energy and garrulity to consume time and to delay or prevent legislative action. His astounding flow of words, his audacity of irrelevance, periodically raise a sharp challenge to the methods of democratic procedure. Is it right that a determined minority should be permitted to obstruct the majority will? "Obstruction is a weapon," observes Mr. Burdette. "Like all weapons it is dangerous."

In the history which Mr. Burdette unfolds, the weapon of obstruction is more often wielded on behalf of reaction than progress. As early as 1890, the Tories of the South were filibustering against legislation designed to remove the restrictions and intimidations imposed on southern Negroes. Today the same obstructive tactics are utilized by similar Tories, who are even now preparing literally to talk out of existence legislation directed against lynching.

Mr. Burdette offers no easy solution to the problem which the practice of filibustering raises. Should speech be unrestricted? If not, at what point should debate be limited? The basic question of the right of freedom of expression is here involved. "The solution, whatever it is," says Mr. Burdette, "will never be found to lie wholly in a set of rules. It must rest in part upon the election of legislators with a keen sense of public responsibility. . . ."

Looking over the list of historic filibusterers who are brought so vividly to life in Mr. Burdette's pages, one cannot help noticing that "legislators with a keen sense of public responsibility" are conspicuously absent. The character of the filibusterer would seem, as a rule, rather more histrionic than senatorial.

In recent times, Huey Long was a really classic filibusterer, both in respect of his public irresponsibility and the clownishness of his oratory. In June 1935, Huey Long filibustered for nearly sixteen hours. During this period he read cooking recipes, told how to make "potlikker," and gave free advice on the preservation of the eyesight. He edified the Senate with biographical sketches of Frederick the Great and Judah P. Benjamin and with extensive quotations from Victor Hugo. A healthy democracy tolerates such exhibitions—but it will scarcely hold them up as demonstrations of freedom of expression.

John Sherman of Ohio once perfectly expressed the impatience felt by the average American citizen with spectacular filibusterers, particularly when the legislation which is being obstructed is as serious and necessary as an anti-lynching bill. Sherman said: "The right to debate a question broadly has been recognized by the Senate of the United States from the beginning of our government; but when the rules of this body, intended to expedite legislation, are used as an obstruction by the minority to defeat the will of the majority, those rules should as soon as possible be corrected, changed, and altered."

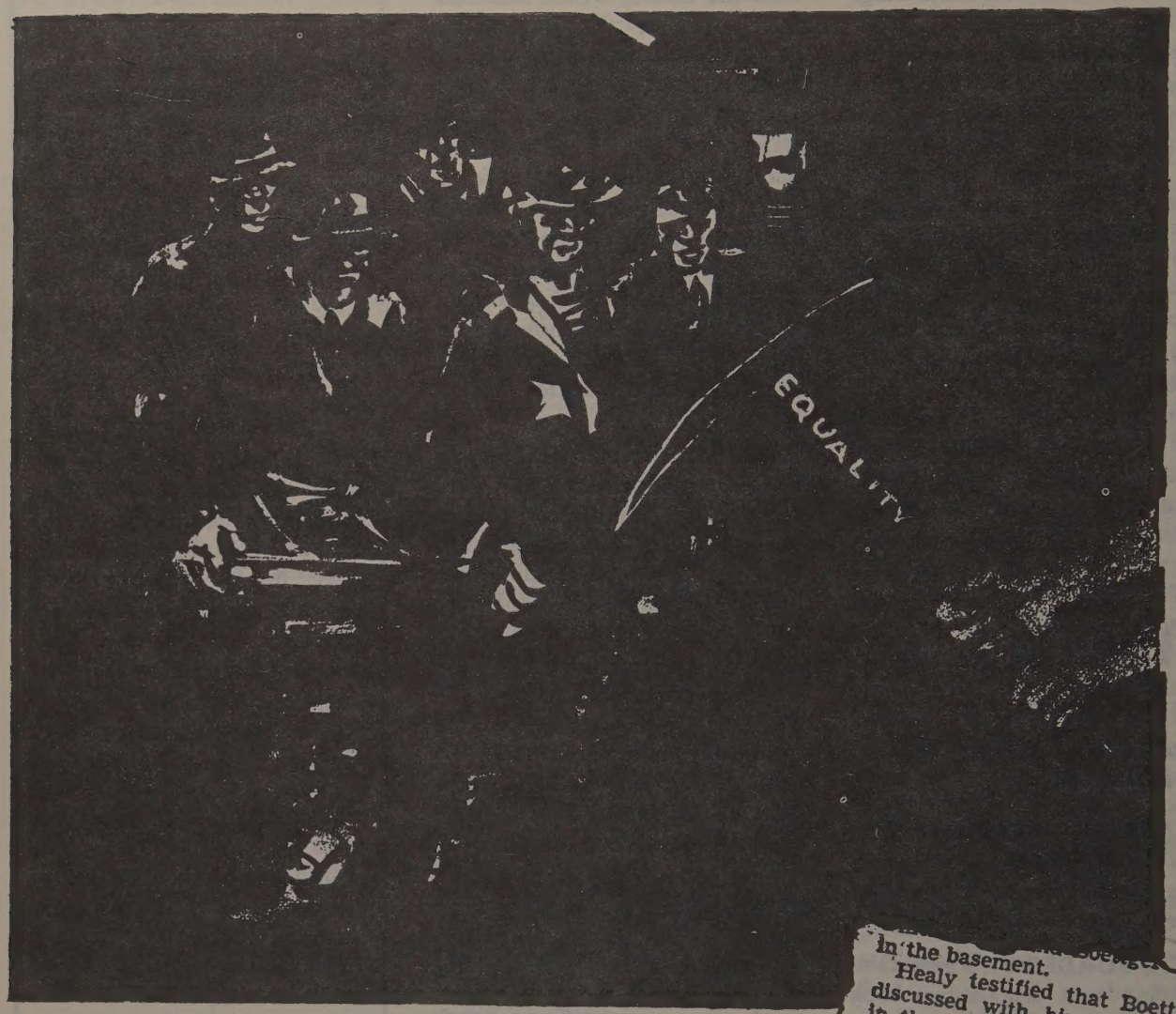
MICHAEL SAYERS

One Year

To all our readers who responded to the financial appeal for a Fighting Fund Against Coughlinism and for the support of *Equality*, many thanks. Though we still need help, the support will enable us to continue the fight. The more who stand with us, the better the fight.

With this thirteenth number, *Equality* enters its second year of life. We had hoped to celebrate the anniversary after the mode with a sort of miniature Sears, Roebuck catalogue, bulging with authoritative symposia. But we must be thankful for mere survival in these days when but to be alive is joy but to be young is very heaven —if you can take it.

In its second year, ***Equality*** hopes to keep on showing that it can take it and dish it out. Where civil and religious liberties are concerned, it will be as quick on the uptake as soundness of wind and limb permits. And at our age we don't anticipate hardening of the arteries!



in the basement.

Healy testified that Boettger discussed with him an article in the magazine Equality dealing with the activities of the Christian Front and said that information about the organization must have leaked out.

Boettger was quoted as also

Yes, there was a leak . . .

an excavation, in fact. *Equality*, back last October, in its now historic plea to Archbishop Spellman, turned sunlight and daylight into some very dank, smelly places. It supplied details and named names. The sordid story of Action Committees, Sports Clubs, penetration of the National Guard, and plotting of violence against minorities and the democratic system itself, was not news to *Equality* readers when the Brooklyn arrests took place.

Not all the plotting against civil and religious liberties takes place in Brooklyn cellars. Now as before, *Equality* digs into the facts, let the mortar fly where it may. You and your friends need *Equality*. $1.50 a year.

Four one-year subscriptions cost only $5.

EQUALITY, 512 Fifth Avenue, New York